

By: Senator(s) DeLano

To: Public Property

## SENATE BILL NO. 2297

1 AN ACT TO AMEND SECTION 3-5-5, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE FOR CONCURRENT JURISDICTION BETWEEN FEDERAL AND STATE  
3 GOVERNMENTS OVER CERTAIN LANDS; TO REQUIRE WRITTEN NOTICE; TO  
4 PROVIDE FOR ACCEPTANCE; TO AUTHORIZE LOCAL AGREEMENTS; TO AMEND  
5 SECTION 3-5-9, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR  
6 RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 **SECTION 1.** Section 3-5-5, Mississippi Code of 1972, is  
9 amended as follows:

10 3-5-5. (1) The exclusive jurisdiction in and over any land  
11 which has heretofore been, or may hereafter be, so acquired by the  
12 United States is hereby ceded to the United States for all  
13 purposes, except that the state retains the right to serve thereon  
14 all civil and criminal processes, and all laws of this state shall  
15 continue to operate over such land as provided in Section 3-5-9.  
16 The jurisdiction ceded hereby shall not vest until the United  
17 States shall have acquired title to the lands by purchase,  
18 condemnation, or otherwise, and shall continue no longer than the  
19 United States shall own such lands for the purposes for which  
20 acquired.



21           (2) Full or partial concurrent jurisdiction may be  
22 relinquished to the state as to land or interests therein under  
23 the supervision and control of the \* \* \* United States, including  
24 any agency, department or branch of the military as follows:

25           (a) Notice in writing \* \* \* shall be given by the  
26 United States to the Governor stating the intent to relinquish  
27 jurisdiction and stating specifically the extent of such  
28 relinquishment \* \* \*, including:

29                 (i) Clearly stating the subject matter for the  
30 concurrent jurisdiction request, specifically identifying whether  
31 it includes juvenile delinquency and status offenses;

32                 (ii) Providing a metes and bounds description of  
33 the boundary of the concurrent jurisdiction request; and

34                 (iii) Indicating whether the request includes  
35 future contiguous expansions of land acquired for military  
36 purposes.

37           (b) Acceptance.

38                 (i) The Governor's written acceptance shall  
39 confirm each of the elements of the request that are accepted; and

40                 (ii) The Governor may accept or reject such  
41 relinquishment of jurisdiction by Executive Order filed with the  
42 Secretary of State prior to the effective date of such  
43 relinquishment. Upon request of any party or court, the Secretary  
44 of State shall certify by letter which shall be sufficient proof  
45 of the existence or nonexistence of such executive order.



(c) Such relinquishment shall be effective as of 12:00 midnight of the last day of the month next succeeding the month in which such notice is received by the Governor.

(3) Upon the establishment of concurrent jurisdiction, any state or local agency may enter into a reciprocal agreement (Memorandum of Understanding) with any agency of the United States for coordination and designation of responsibilities related to the concurrency.

**SECTION 2.** Section 3-5-9, Mississippi Code of 1972, is amended as follows:

3-5-9. The concession of jurisdiction to the United States over any part of the territory of the state, heretofore or hereafter made, shall not prevent the execution on such land of any process, civil or criminal, under the authority of this state, nor prevent the laws of this state, including all laws applicable to juveniles, from operating over such land; saving to the United States security to its property within the limits of the jurisdiction ceded.

**SECTION 3.** This act shall take effect and be in force from and after July 1, 2025.

