

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.

