

By: Senator(s) Parker

To: Accountability,
Efficiency, Transparency

SENATE BILL NO. 2576

1 AN ACT TO AMEND SECTION 25-61-11, MISSISSIPPI CODE OF 1972,
2 TO ALLOW PUBLIC BODIES TO PROCESS REQUESTS MADE AS A RESULT OF A
3 CRIMINAL OR CIVIL PROCEEDING, EMPLOYEE APPEALS BOARD OR
4 ARBITRATION FOR WHICH THE PUBLIC BODY IS A PARTY, AS PRIVILEGED
5 AND SUBJECT TO APPLICABLE DISCOVERY RULES, WHEN REQUESTED BY AN
6 OPPOSING PARTY OR AN AGENT THEREOF; TO REQUIRE THAT REQUESTS FOR
7 INFORMATION BY AN OPPOSING PARTY OR THEIR AGENT BE MADE TO THE
8 ATTORNEY REPRESENTING THE PUBLIC BODY IN THE CRIMINAL OR CIVIL
9 PROCEEDING, EMPLOYEE APPEALS BOARD OR ARBITRATION; AND FOR RELATED
10 PURPOSES.

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

12 **SECTION 1.** Section 25-61-11, Mississippi Code of 1972, is
13 amended as follows:

14 25-61-11. (1) The provisions of this chapter shall not be
15 construed to conflict with, amend, repeal or supersede any
16 constitutional law, state or federal statutory law, or decision of
17 a court of this state or the United States which at the time this
18 chapter is effective or thereafter specifically declares a public
19 record to be confidential or privileged, or provides that a public
20 record shall be exempt from the provisions of this chapter.

21 (2) Any request under this chapter for records in possession
22 of a public body by a party to a criminal or civil proceeding,



23 employee appeals board or arbitration, in which the public body is
24 a party, or by an agent of the party, must comply with applicable
25 discovery rules or orders, and be made to the attorney
26 representing the public body in the criminal or civil proceedings,
27 employee appeals board proceeding or arbitration. The public body
28 may deny a request from a party or an agent of a party under this
29 subsection if the request seeks records that are privileged under
30 applicable discovery rules.

31 **SECTION 2.** This act shall take effect and be in force from
32 and after July 1, 2025.

