

By: Senator(s) Johnson

To: County Affairs

SENATE BILL NO. 2828

1 AN ACT TO AMEND SECTION 17-13-11, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE THAT AGREEMENTS FOR THE PROVISION OF SERVICES OR
3 FACILITIES BY CERTAIN COUNTY OFFICIALS BE SUBMITTED, APPROVED, AND
4 EXECUTED BY THE RESPECTIVE COUNTY OFFICIAL, SUBJECT TO THE SAME
5 STANDARDS AND PROCESSES USED BY THE ATTORNEY GENERAL; AND FOR
6 RELATED PURPOSES.

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

8 **SECTION 1.** Section 17-13-11, Mississippi Code of 1972, is
9 amended as follows:

10 17-13-11. (1) Every agreement made by a local governmental
11 unit hereunder shall, prior to and as a condition precedent to its
12 entry into force, be submitted to the Attorney General of this
13 state who shall determine whether the agreement is in proper form
14 and compatible with the laws of this state. No agreement may be
15 considered that does not cite the specific authority under which
16 each of the local governing units involved may exercise the powers
17 necessary to fulfill the terms of the joint agreement. The
18 Attorney General shall approve any such agreement submitted to him
19 or her hereunder unless he or she shall find that it does not meet
20 the conditions set forth herein and elsewhere in the laws of this

21 state and shall detail in writing, addressed to the governing
22 bodies of the units concerned, the specific respects in which the
23 proposed agreement fails to meet the requirements of law.

24 Failure to disapprove an agreement submitted hereunder within
25 sixty (60) days of its submission shall constitute approval
26 thereof.

27 (2) (a) In the event that an agreement made pursuant to
28 this chapter shall deal in whole or in part with the provision of
29 services or facilities with regard to which an officer, unit or
30 agency of the state government has constitutional or statutory
31 powers of control, the agreement shall, as a condition precedent
32 to its being in force, be submitted to the state officer, unit or
33 agency having such power of control and shall be approved or
34 disapproved by him or her or it as to all matters within his or
35 her or its jurisdiction in the same manner and subject to the same
36 requirements governing action of the Attorney General pursuant to
37 subsection (1) of this section.

38 (b) In the event that an agreement made pursuant to
39 this chapter shall deal in whole or in part with the provision of
40 services or facilities by a county sheriff, chancery clerk,
41 circuit clerk, tax assessor or tax collector, the agreement shall,
42 as a condition precedent to its being in force, be submitted to,
43 approved, and executed by the respective county official whose
44 services or facilities are being utilized by the agreement, in the
45 same manner and subject to the same standards and processes used



46 by the Attorney General pursuant to subsection (1) of this
47 section.

48 (3) Prior to its being in force, an agreement made pursuant
49 to this chapter shall be filed with the chancery clerk of each of
50 the counties wherein a participating local governmental unit is
51 located and with the Secretary of State. The chancery clerk and
52 the Secretary of State shall preserve such agreements as public
53 records and index and docket the same separate and apart from all
54 other records in his or her office.

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

