

2022 Legislation Affecting Municipalities

Information adapted from State Auditor's Legislative Update and MML 2022 Legislative Report.

House Bill 451 (Effective July 1, 2022)

HB451 amends Section 83-34-4 to create a new fund to be designated The Mississippi First Responders Health and Safety Trust Fund to assist the state, municipalities, counties, and fire protection districts with benefits required by the Mississippi First Responders Health and Safety Act. This legislation creates the Annual Fire Fund, and funds therein are to be used to provide funding to the Rural Fire Truck Fund, the Supplementary Rural Fire Truck Fund, the Municipal Fire Protection Fund and/or the County Volunteer Fire Department Fund. Further, this action provides conditional funding for the aforementioned.

House Bill 567 (Effective July 1, 2022)

HB567 amends Section 63-3-519 and provides a municipal law enforcement officer may use radar speed detection equipment within a municipality having a population of 2,000 or more according to the latest federal census upon the streets of the municipality, but in no case where the population is less than 1,500.

House Bill 606 (Effective July 1, 2022)

HB606 enacts the Mississippi Outdoor Stewardship Act and creates the Mississippi Stewardship Fund. The purpose is to make grants available to counties, municipalities, state agencies, and non-governmental entities for outdoor stewardship purposes.

House Bill 616 (Effective July 1, 2022)

HB616 amends Section 21-19-11 to add securing abandoned or dilapidated buildings once the property has been adjudicated a menaced property and the owner has failed to corrective action.

House Bill 770 (Effective July 1, 2022)

HB770 creates the Mississippi Equal Pay Act.

House Bill 821 (Effective July 1, 2022)

HB821 amends Section 21-1-49 to provide that a municipality having less than fifty (50) inhabitants and having therefore been abolished under the federal census of 2020 may provide documentation to the Secretary of State of the intent to challenge the census finding and shall have all rights and privileges temporarily restored. If the Census Bureau finds that the municipality has fifty (50) or more inhabitants, the municipality will be restored to all rights and privileges.

House Bill 823 (Effective July 1, 2022)

HB823 amends Sections 73-69-5 & 73-69-27 to define battery-charged security fences and to prohibit counties or municipalities from regulating battery-charged security fences and contracting for such.

House Bill 842 (Effective July 1, 2022)

HB842 amends Section 17-23-1 to authorize an additional round of fire trucks for counties and municipalities under the Rural Fire Truck Acquisition Assistance Program; to create a special fund to be designated the "Rural Fire Truck Matching Assistance Fund," which shall be used to assist counties and municipalities with remaining eligibility under the Rural Fire Truck Acquisition Program.

House Bill 843 (Effective July 1, 2022)

HB843 amends Section 25-15-103 to allow counties and municipalities to offer supplemental compensation to employees who decline coverage under their group insurance.

House Bill 918 (Effective July 1, 2022)

HB918 amends Section 67-1-51, creating a food truck permit under the local option alcohol beverage control law that allows the holder of an on-premises retailer's permit to sell alcoholic beverages within a valid leisure and recreation district.

House Bill 1097 (Effective July 1, 2022)

HB1097 amends Section 31-8-3 to add fire stations to the list of structures that counties and cities may lease (lease not to exceed 20 years).

House Bill 1108 (Effective July 1, 2022, except section 1 effective January 1, 2022)

HB1108 amends Section 27-31-104, as amended by senate bill no. 2095, 2022 regular session, which authorizes county boards of supervisors and municipal governing authorities to enter into agreements with certain enterprises granting a fee-in-lieu of ad valorem taxes, to extend the reverter on the provision of law allowing such agreements for projects totaling over \$100,000,000.00 by qualified businesses, as defined in the Mississippi Health Care Industry Zone Act, meeting minimum criteria established by the Mississippi Development Authority; to revise the minimum amount allowable as a fee-in-lieu of ad valorem taxes for certain renewable energy projects; to authorize county boards of supervisors and municipal governing authorities to authorize a partial ad valorem tax exemption for certain renewable energy projects; to authorize the board of supervisors of a county and/or the governing authorities of a municipality to grant a partial ad valorem tax exemption for nonresidential use property that is being converted to a residential use in an amount equal to the difference between the assessed value of the property for residential use and the assessed value of the property for nonresidential use; to provide that the exemption shall end when the property is occupied by a homeowner; to provide the manner in which a request for such exemption must be made; and for related purposes be it enacted by the legislature of the state of Mississippi.

House Bill 1163 (Effective July 1, 2022)

HB1163 requires counties and municipalities to require permitting as a condition to construction.

House Bill 1341 (Effective July 1, 2022)

HB1341 amends Section 21-8-7 to provide that council members elected to represent wards must be residents of their wards for two years at the time of qualification for an election.

House Bill 1365 (Effective July 1, 2022)

HB1365 prohibits any agency, state, or local official from soliciting, accepting, or otherwise using private funds for election-related expenses or voter education, voter outreach, or voter registration programs.

House Bill 1427, funded by HB1542 (Effective July 1, 2022)

HB1427 is an act to create the Mississippi Law Enforcement and Fire Fighter Premium Pay Program (American Rescue Plan Act or ARPA).

House Bill 1509 (Effective from and after passage)

HB1509 is an act to prohibit a state agency, public official, state institution of higher learning, a public community or junior college, county, municipality, or other political subdivision of the state from refusing services, healthcare access or employment opportunities to a person, or otherwise discriminate against a person, based upon their COVID-19 vaccination status or possession of a COVID-19 immunity passport; to define the terms "immunity passport" and "COVID-19 vaccination status"; to provide a certain exemption for healthcare facilities and related purposes.

Senate Bill 2335 (Effective July 1, 2022)

SB2335 amends Sections 83-1-37 & 83-1-39 to allow municipalities and counties the use of fire rebate monies for emergency medical services training and equipment.

This legislation provides that municipalities and counties may provide reasonable remuneration to volunteer firefighters in accordance with guidelines established by the Commissioner of Insurance.

Senate Bill 2095 (Effective from and after passage)

SB2095 enacts the Mississippi Medical Cannabis Act. The act provides that counties or municipalities may enact ordinances or regulations, not in conflict with the law. Counties and municipalities may opt out of the act by a vote of the board within 90 days of passage (May 3, 2022).

Senate Bill 2357 (Effective July 1, 2022)

SB2357 allows counties and municipalities to pay reasonable hospital and medical expenses, insurance premiums for the purchase of insurance covering hospital and medical expenses, or coverage for accident, death, or disability insurance on account of any occupational disease contracted or for any accident or injury sustained by reason of his service or duty.

Senate Bill 2371 & 2806 (Effective July 1, 2022)

SB2371 amends Section 31-7-13 to increase the amount a purchase has to be to require advertising for bids from \$50,000 to \$75,000. SB2371 also amends Section 31-7-13 to allow a purchasing entity to use reverse auctions for term bids at its discretion.

Senate Bill 2780 (Effective July 1, 2022)

SB2780 creates the 2022 Emergency Road and Bridge Fund to be administered by the Mississippi Department of Transportation to assist counties and municipalities. This legislation revises the exceptions to limitations on county expenditures during the last year of terms of the office of the board of supervisors to allow expenditures for certain road and bridge projects and funds the Rural Fire Truck Matching Assistance Fund.

Senate Bill 2822 is funded by Senate Bill 3056 (Effective from and after passage)

SB2822 establishes the Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022. Municipalities that received more than \$1,000,000 in the total allocation of Coronavirus Local Fiscal Recovery Funds are eligible for a 1-1 match. The total funds provided for all 1-1 matches shall not exceed \$400,000,000. Municipalities that received less than \$1,000,000 in the total allocation of Coronavirus Local Fiscal Recovery Funds are eligible for a 2-1 match. The total funds provided for all 2-1 matches shall not exceed \$50,000,000. A municipality or certain public utility that has been transferred the fund by a county or municipality is only eligible for a 1-1 match. The dollar amount for professional fees that can be allocated as a part of a county's, municipalities, or public utility's matching share cannot exceed 4 percent of the total project cost. By July 1, 2022, the Mississippi Department of Environmental Quality (MDEQ) will make rules and regulations necessary to administer the Mississippi Municipality and County Water Infrastructure (MCWI) Grant Program prescribed under this act, including application procedures and deadlines.

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Publication 3834 (POD-11-25)

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Extension Service of Mississippi State University, cooperating with U.S. Department of Agriculture. Published in furtherance of Acts of Congress, May 8 and June 30, 1914. ANGUS L. CATCHOT JR., Director