Pursuant to Mississippi Code Annotated Section 25-61-19, the following legislation from the 2023 Regular Legislative Session affects the powers and duties of the Office of the Attorney General:

1. **H.B. 280: Foreign governments; prohibit sale of agricultural lands to**

H.B. 280 creates a study committee “for the purpose of studying the purchasing, acquiring, leasing or holding an interest in agricultural land by foreign government[s].” The committee includes the Attorney General or her designee. “Appointments to the study committee shall be made within thirty (30) days of the effective date of this act.” “The study committee shall develop and report its finding to the Legislature on or before December 1, 2023.”

1. **H.B. 485: Sexual assault evidence kit; regulate the processing of**

H.B. 485 provides “a process to collect and preserve sexual assault evidence collection kits” and requires law enforcement “to immediately collect and store the kit in compliance with certain standards.” The bill also creates “the ‘Sexual Assault Evidence Accountability Task Force’ for the purpose of developing and approving standardized policies and procedures concerning [] sexual assault evidence collection kit[s].” The task force includes one investigator from the Attorney General’s Office. “The Mississippi Forensics Laboratory, in consultation with the Sexual Assault Evidence Accountability Task Force, and the Mississippi Department of Public Safety shall conduct a study and issue a report by July 1, 2024 . . . .”

1. **H.B. 768: State Personnel Board; require agencies seeking an exemption from the oversight of to submit written plan of justification to Legislature and SPB**

H.B. 768 amends Mississippi Code Annotated Section 25-9-127 “to require an agency requesting an exemption from the Mississippi State Personnel Board oversight to create a written plan describing the justification for requesting an exemption and the actions the agency plans to implement if the exemption is granted.”

1. **H.B. 912: Firearm suppressors; authorizing manufacture and possession in Mississippi and prohibit enforcement of federal laws governing**

H.B. 912 provides that “[a] firearm suppressor that is manufactured in [the State of Mississippi] and remains in this state is not subject to federal law or federal regulation, including registration, under the authority of the United States Congress to regulate interstate commerce.” The bill prohibits the State, including agencies and other entities, from adopting “a rule, regulation, order, ordinance or policy under which the entity enforces, or by consistent action allows the enforcement of, a federal statute, order, rule or regulation that purports to regulate a firearm suppressor as defined [by] this act, if the rule, regulation, order, ordinance or policy imposes a prohibition, restriction or other regulation that does not exist under the laws of this state.” Passage of this Act is conditioned upon either the United States Supreme Court ruling in favor of any appeal related to *Paxton et al. v. Richardson* (4:22-cv-00143), or ten days after “the date of publication by the Attorney General of Mississippi in the administrative bulletin . . . that the Attorney General of Mississippi has determined that the United States Supreme Court has rendered binding precedent that it is reasonably probable that this act would be upheld by the court as constitutional.”

1. **H.B. 1020: Capitol Complex Improvement District judicial jurisdiction; create and revise boundaries**

H.B. 1020, among other things, creates an inferior court to be located within the boundaries of the Capitol Complex Improvement District (“CCID”), established in Section 29-5-203 from and after January 1, 2024. The bill requires the Attorney General to “designate two (2) attorneys to serve as prosecuting attorneys for any cause of action within the jurisdiction of the [CCID] inferior court. The prosecuting attorneys may be employees of the Office of the Attorney General or contracted by the Attorney General for such purposes. The attorneys shall prosecute cases in the court provided for the CCID inferior court . . . in the same manner and with the same authority of law provided for district attorneys and county prosecuting attorneys by filing an indictment or any other criminal action that accrues or occurs, in whole or in part, in the CCID.”

1. **H.B. 1110: Second Amendment Financial Privacy Act; create**

H.B. 1110 creates the “Second Amendment Financial Privacy Act” which, among other things, provides that “[e]xcept for those records kept during the regular course of a criminal investigation and prosecution or as otherwise required by law, a state governmental agency or local government, special district, or other political subdivision or official, agent, or employee of the state or other governmental entity or any other person, public or private, other than the owner or owner’s representative, may not knowingly and willfully keep or cause to be kept any list, record, or registry of privately owned firearms or any list, record, or registry of the owners of those firearms.” The bill provides that “[t]he Attorney General may investigate alleged violations of this act and, upon finding a violation, shall provide written notice to any individual or entity, public or private, believed to be in violation of this act. Written notice to any commercial entity shall be made to the entity’s registered agent pursuant to Section 79-35-13. Upon receipt of such written notice from the Attorney General, the entity shall have thirty (30) calendar days to cease any violation of this act.” Further, “[i]f an individual or entity is found to be in violation of this act and fails to cease the violating activity after the expiration of the thirty (30) calendar days from the receipt of written notice by the Attorney General’s office, the Attorney General may pursue an injunction against any individual or entity, public or private, alleged to be in violation of this act. The Attorney General may pursue an injunction pursuant to this subsection in chancery court in the judicial district where the alleged violation occurred against the individual or entity in alleged violation of this act.” The bill also provides a mechanism for the Attorney General to recover, on behalf of the state, a civil penalty, investigative costs, and reasonable attorney’s fees.

1. **H.B. 1125: Regulate Experimental Adolescent Procedures (REAP) Act; create to regulate transgender procedures and surgeries**

H.B. 1125 creates the “Regulate Experimental Adolescent Procedures (REAP) Act” which prohibits a person from “knowingly provid[ing] gender transition procedures to any person under eighteen (18) years of age” and prohibits a person from “knowingly engag[ing] in conduct that aids or abets the performance or inducement of gender transition procedures to any person under eighteen (18) years of age.” The bill also provides that “[p]ublic funds, resources, facilities, personnel or any other thing of value that is provided by the United States or the State of Mississippi shall not be directly or indirectly used, granted, paid, or distributed to any entity, organization, or individual that provides gender transition procedures to a person under eighteen (18) years of age.” H.B. 1125 requires the Attorney General to bring an action to enforce compliance with this Act.

1. **H.B. 1149: Path to permanency; provide for children in Child Protection Services**

H.B. 1149 implements various changes “to provide a clear path to permanency for children in the custody of the Department of Child Protection Services.” Effective July 1, 2023, the bill, among other things, requires, “[t]he appropriate court, through its clerk, [to] notify the Office of the Attorney General within seven (7) business days whenever a permanency plan changes to termination of parental rights or an adoption.”

1. **H.B. 1225: Mississippi Telephone Solicitation Act; transfer enforcement authority to Attorney General’s Office**

H.B. 1225 transfers the Mississippi Telephone Solicitation Act’s “administrative, investigative, and enforcement responsibilities and duties from the Mississippi Public Service Commission to the Mississippi Attorney General.” “All positions, duties, and functions of the Mississippi Public Service Commission that are substantially involved with the Mississippi No Call Program, and/or the No-Call list, database or registry, shall be transferred to the Mississippi Attorney General.” “This act shall take effect and be in force from and after July 1, 2023.”

1. **H.B. 1315: Pornographic online and digital resources for K-12 students; prohibit**

H.B. 1315 “regulate[s] pornographic media exposure to children in K-12” and “regulate[s] digital and online resources provided by K-12 vendors.” The bill provides that the State, any of its agencies, a school district, and other named entities “may offer digital or online resources or databases to students in kindergarten through twelfth grade only if the vendor or other person or entity providing the resources verifies that all the resources will comply” with all of the safety policies and technology protection measures cited in the bill. The bill authorizes the Attorney General to investigate compliance. Further, the bill requires that “[t]he contracting party must report to the Attorney General a provider’s failure to comply . . . no later than thirty (30) days after the contracting party learns of the provider’s noncompliance.”

1. **S.B. 2053: Deficit Prevention Act; require state agencies to notify certain officials when likelihood of a deficit exists**

S.B. 2053 creates the “Deficit Prevention Act” which provides that “[a] state agency, department or institution shall not operate in a manner that results in a year-end deficit, except as provided in this act.” The bill provides that “[i]f it is determined by a state agency, department or institution that the likelihood of a deficit for the current fiscal year exists, the state agency, department or institution shall notify the Governor, Lieutenant Governor, Speaker of the House, and Chairs of the House and Senate Appropriations Committees within fifteen (15) days of this determination. After the determination of the likelihood of a deficit, the state agency, department or institution shall work with the Legislative Budget Office and the Department of Finance and Administration to develop a plan to avoid or limit any deficit. Such plan shall include limiting travel and conference attendance to that deemed essential by the director of the agency, department or institution, and restricting the purchase of equipment, vehicles and other non-necessities.”

1. **S.B. 2140: National Security on State Devices and Networks Act; create**

S.B. 2140 creates the “National Security on State Devices and Networks Act” which provides that “[n]o state employee shall download, access, or use a prohibited technology on a state-issued device or a state-operated network.” Prohibited technology is defined as “any information technology deemed to pose an unacceptable risk to the security of the United States and/or the State of Mississippi by Mississippi and/or federal law, regulation, or guidance.” “The provisions of this section shall not apply to law enforcement agencies of the state or its political subdivisions when downloading, accessing, or using a prohibited technology is necessary to carry out their official duties for bona fide law enforcement, investigative or public safety purposes.”

1. **S.B. 2343: Department of Public Safety; revise jurisdiction of**

S.B. 2343 “revise[s] the jurisdiction of the Department of Public Safety [(“DPS”)] in the Capitol Complex Improvement District [(“CCID”)].” Effective July 1, 2023, the bill also provides that DPS “may choose to present cases to either the District Attorney or the prosecuting attorneys designated by the Attorney General for prosecution of any violation of law that accrues or occurs, in whole or in part, within the boundaries [of the CCID] established by Section 29-5-203.”

1. **S.B. 2376 Youth court; clarify that disclosure of certain records in criminal matters do not require youth court approval**

S.B. 2376 amends Mississippi Code Annotated Section 43-21-261 to provide that “[n]othing in this section or chapter shall require youth court approval for disclosure of records involving children as defined in Section 43-21-105(u), if the disclosure is made in a criminal matter by a municipal or county prosecutor, a district attorney or statewide prosecutor, pursuant to the Mississippi Rules of Criminal Procedure and the records are disclosed under a protective order issued by the Circuit Court presiding over the criminal matter.”

1. **S.B. 2382: Out-of-state lawyers; disclosure required in certain advertisements if not licensed to practice law in Mississippi**

S.B. 2382 amends Mississippi Code Annotated Section 73-3-38 to require any “lawyer, attorney at law, or counselor at law of another state [who] is not licensed to practice law in Mississippi” to include a disclosure on “a television or billboard advertisement of the person’s legal services in any language.” The bill also amends Mississippi Code Annotated Section 75-24-5 to authorize the Consumer Protection Division of the Attorney General’s Office to bring an action for violation of this provision.

1. **S.B. 2384: Foster Care and Adoption Task Force; create**

S.B. 2384 establishes the “Mississippi Task Force on Foster Care and Adoption” which is required to “study Mississippi’s laws regarding foster care and adoption and related areas of inquiry,” and “report its findings and recommendations to the [Mississippi] Legislature.” The task force includes the Attorney General or her designee. “The members must be appointed to the task force within fifteen (15) days of the effective date of this act,” and “[t]his act shall take effect and be in force from and after passage.” “The task force shall stand dissolved on December 1, 2023.”

1. **S.B. 2454: Budget; revise provisions related to and provide for transfers**

Pursuant to S.B. 2454, during fiscal year 2024, the State Fiscal Officer is required to transfer $2,500,000.00 from the General Fund to the Human Trafficking Fund.

1. **S.B. 2717: Department of Information Technology Services; require to report ransomware incidents and revise provisions related thereto**

S.B. 2717 amends Mississippi Code Annotated Section 25-53-201 to require all state agencies “from and after July 1, 2023,” to “notify the Mississippi Department of Information Technology Services of any cyberattack or demand for payment as a result of ransomware no later than the close of the next business day following the discovery of such cyberattack or demand.”

1. **S.B. 2781: Mississippi Access to Maternal Assistance Program; create and provides for duties and responsibilities**

S.B. 2781 requires the Mississippi Department of Information Technology Services (“ITS”) to “develop, implement and manage a separate website and a mobile application (app) that coordinate and promote information and services related to pregnancy, childbirth and care for dependent children for expectant mothers and new parents.” “The website shall be operational not later than October 1, 2023, and the mobile app shall be operational not later than January 1, 2024.” The bill provides that the “Attorney General shall have the ultimate authority for oversight of the administration of this act and shall coordinate the activities of [the Mississippi Department of Health, the Mississippi Department of Human Services, the Mississippi Department of Mental Health, the Mississippi Department of Child Protection Services, the Mississippi Office of Workforce Development, the Mississippi Department of Employment Security, and the Mississippi Division of Medicaid (“the agencies”) and ITS] under the provisions of the act.” The bill requires that “[t]he information about the services and resources that will be included on the website and mobile app shall be provided to the Attorney General by the agencies.” Additionally, “[t]he Attorney General, the agencies and each county health department shall provide a prominent link on their own websites to the website and mobile app.” “ITS and the agencies, in consultation with the Attorney General, shall apply for any federal grants that may be available to assist in paying the costs of developing, implementing and managing the website and mobile app. The Attorney General shall promulgate such rules necessary to implement the act. Not later than October 1, 2024, the Attorney General shall report to the Chairs of the Senate . . . and House Judiciary A Committees, [] the Senate Public Health and Welfare Committee[,] and the House Public Health and Human Services Committee on the operation and status of the website and mobile app.”

1. **S.C.R. 550: Expressing the support of the Legislature for the plaintiffs in Harrison Co. et al. v. U.S. Army Corps of Engineers**

S.C.R. 550 is “[a] concurrent resolution expressing the support of the Mississippi Legislature for the plaintiffs and the ruling of the United States District Court in *Harrison County, Mississippi, et al. v. The U.S. Army Corps of Engineers* regarding the diversion of waters of the Mississippi River through the opening of the Bonnet Carre’ Spillway.” S.C.R. 550 also provides that the Attorney General “is authorized to request the Court to retain jurisdiction over this matter to the extent necessary to ensure compliance with the Court’s Opinion and Order and with applicable provisions of the Magnuson-Stevens Fishery Conservation and Management Act and to join such litigation to protect the citizens and fisheries of this State.”