



December 23, 2025

Moran M. Pope III, Esq.  
Attorney, City of Hattiesburg  
P.O. Box 17527  
Hattiesburg, MS 39404

Re: Municipal Donation to City Homeless Coordinator

Dear Mr. Pope:

The Office of the Attorney General has received your request for an official opinion.

#### **Background**

According to your request, the City of Hattiesburg (“City”) employs a Homeless Coordinator (“Coordinator”) who works to develop partnerships to connect homeless individuals and families with resources and long-term housing solutions. The Coordinator also works with homeless individuals to help them find jobs. Oftentimes, however, homeless individuals do not have the necessary documents to allow them to get into housing or apply for a job, which perpetuates a cycle where homeless individuals drain the private resources of the community.

#### **Question Presented**

May the Coordinator spend City funds to secure documents required for homeless individuals to apply for housing or a job?

#### **Brief Response**

City funds may be used for such purpose if the City’s governing authorities determine that 1) the Coordinator provides a “social and community service program” as contemplated under Mississippi Code Annotated Section 21-19-65, and 2) there are matching funds for the City’s contribution.

### **Applicable Law and Discussion**

You ask whether City funds may be used to secure documents required for homeless individuals to apply for housing or a job. Municipalities are generally prohibited from spending public funds for private purposes without specific statutory authority. Miss. Code Ann. § 21-17-5(2). In this case, Section 21-19-65 could potentially authorize the proposed use of funds:

The governing authorities of any municipality shall have the power to expend monies from the municipal general fund to match any other funds for the purpose of supporting social and community service programs including, but not limited to, juvenile residential treatment centers; juvenile and half-way houses; prenatal care facilities; child day care facilities; mentally ill and alcoholics half-way houses; child and adult emergency shelters; elderly home health aides programs.

As shown, Section 21-19-65 requires the City to have matching funds from another source. In other words, “[s]uch municipal donation may not constitute the sole source of funds for the program.” MS AG Op., *Cook* at \*1 (Sept. 17, 2010). That said, if the City’s governing authorities determine that 1) the Coordinator provides a “social and community service program” as contemplated under Section 21-19-65, and 2) there are matching funds for the City’s contribution, then City funds may be used to secure documents required for homeless individuals to apply for housing or a job. Because such determinations are factual, they cannot be made by this office. *Id.*; Miss. Code Ann. § 7-5-25 (granting the Attorney General the authority to opine upon prospective matters of Mississippi law only).

If this office may be of any further assistance to you, please do not hesitate to contact us.

Sincerely,

LYNN FITCH, ATTORNEY GENERAL

By: /s/ *Maggie Kate Bobo*

Maggie Kate Bobo  
Special Assistant Attorney General