

**2026 Mississippi Municipal Attorneys' Association
Legislative Update**

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Bills Signed by the Governor

HB 377 (eff. 7/1/26)

Missing Persons Reporting and Identification Act. Requires law enforcement agencies to take certain actions when they receive a credible report of a missing or unidentified person, including inputting their information into the National Missing and Unidentified Persons System.

HB 420 (eff. 7/1/26, exemption applies after 1/1/27)

A qualified homeowner who is an American veteran who has been honorably discharged from military service and has reached eighty-five (85) years of age on or before January 1 of the year for which the exemption is claimed, shall be allowed an exemption from all ad valorem taxes on the assessed value of the homestead property.

HB 611 (eff. 7/1/26)

Any time the Board of Law Enforcement Officer Standards and Training sets a hearing to determine whether an LEO should be reprimanded or have their certification suspended or revoked, the LEO may request and shall be given discovery in the form of:

- (a) any documentary evidence which could be introduced at the hearing to substantiate the reprimand, suspension, cancellation of, or recalling the certification of the officer in question; (b) any exculpatory information in the possession, custody, or control of the Office of Standards and Training that is material to the issues to be determined at the hearing; and (c) a list of witnesses expected to testify in support of the proposed reprimand, suspension, cancellation of, or recall of certification, including the witnesses' names, addresses and contact information.

Confidential information can be redacted.

HB 630 (eff. 7/1/26)

In municipalities with less than 2,000 people, a person can serve as a poll manager in municipal elections if they are a qualified elector of the county in which the municipality is located.

HB 1171 (eff. 1/1/27)

Mississippi Grant and Subgrant Administration Transparency and Accountability of Non-Governmental Organizations Act of 2026. Requires state agencies issuing grants to set performance objectives and outcomes, requires 5-year long-term objectives, requires grant recipients to submit annual progress reports and financial reports, requires agencies to “establish objective criteria for grant eligibility,” and makes NGO grant recipients subject to compliance audits.

HB 1305 (eff. 7/1/26)

Expands PSC oversight of municipality-owned utilities and requires third-party audits for certain municipal utilities.

MCA 77-3-5(1)(a):

“[T]he commission shall not have jurisdiction to regulate the rates for the sales and/or distribution [o]f gas, water, electricity or sewage disposal services by municipalities to such persons as said municipalities are authorized by law to serve.”

Changed to

[T]he commission shall not have jurisdiction to regulate the rates for the sales and/or distribution: [o]f adequately provided gas, water, electricity and sewage disposal services by

municipalities to customers located within and including one (1) mile outside of their corporate boundaries.”

Also authorizes PSC to audit municipally owned utilities, at the expense of the utility, if (1) they’re rated “D” or “F” by the Department of Health (HB1632), (2) the mayor requests it, or (3) a supermajority of the board or council requests it.

See also SB 2310 re: receiverships and cancellation of certificates for utilities that do not “adequately serve” their customers.

HB 1330 (eff. 7/1/26)

Adds 16 new “qualified resort areas,” several within municipalities.

HB 1386 (7/1/26)

Use tax distributions can be used for sidewalks in addition to roads, streets, bridges, and buildings.

HB 1563 (eff. 7/1/26)

Authorizes municipal utility commissions to have up to seven members, two of whom must be customers who receive municipal utilities outside the city limits. If more than 20% of the customers live outside the city limits, the board of supervisors in each county in which the utility provides services outside the city limits may appoint one member each (maximum of two).

HB 1664 (eff. on passage) – Mississippi Video Service Act – Provides a process for “video service providers” to obtain a franchise to operate within political subdivisions.

- Does not preempt municipalities’ control over rights-of-way or limit police powers.

- A certificate of franchise under this Act is also a franchise for purposes of the federal Cable Communications Act.
- “Video service” is delivery of video programming (1) comparable to broadcast, cable, or IPTV, (2) that is delivered through facilities located in a public ROW. Does not include mobile service, satellite service, or streaming services. Does include existing cable franchisees.
- VSPs must:
 - Have a franchise in effect on 5/31/26 or a subsequent removal;
 - Either:
 - Negotiate a franchise with the municipality; or
 - Adopt the terms and conditions of a franchise granted by the municipality to an incumbent video provider; OR
 - Be granted a “certificate of franchise authority” by the Secretary of State.
- VSP can’t hold a franchise issued by the municipality and the SOS for the same service area.
- Incumbent VSPs may get a certificate of franchise authority from the SOS, and their current franchise with a municipality “shall no longer be of any force or effect.” The incumbent VSP has the “sole discretion” to decide.
- Application process is solely through SOS’s Office, *including*:
 - Proof of CGL and auto coverage of up to \$1 million; and
 - A \$1 million “master performance bond” filed with SOS, or an attestation that the VSP will file an individual performance bond with the municipality, which can only be requested when the VSP intends to “perform construction” in the ROW and must be “be reasonably tied to the work being performed.” SOS must have a process by which the municipality can make a claim against a master bond.
- Other characteristics of a certificate of franchise authority:

- Boundaries can be changed by VSP upon notice to SOS and municipality.
 - Transferable upon notice to SOS and municipality.
 - Nonexclusive.
 - Initial term of 10 years, renewable for 10-year terms.
 - Terminable by franchise holder.
- “The duties of the Secretary of State under this act are ministerial. The Secretary of State shall not condition or limit a certificate of franchise authority by imposing on the holder of a certificate of franchise authority any obligations or requirements that are not authorized by this act.”
- Municipal Regulation of VSPs
- Municipalities “shall allow” certificate holders “to install, construct and maintain facilities” in the ROW.
 - Municipalities “shall provide” open, comparable, nondiscriminatory, and competitively neutral access” to ROWs.
 - VSPs are not exempt from “lawful political subdivision land use and permitting regulations.”
 - VSPs not exempt from permitting or approval requirements, as long as the permits serve certain purposes (p. 14).
 - Municipalities may charge permit fees that are “nondiscriminatory and proportionate to the impacts caused by the video service provider’s work.”
 - Municipalities may require relocation for infrastructure projects or public safety improvements.
 - VSPs may offer “other services” with no new permits unless the services involve “installation, placement, replacement or material modification of equipment.”

- VSPs must remove above-ground facilities if they are abandoned, obsolete, no longer in active service, or duplicative.
 - Safety – Facilities that pose an “immediate threat” must be repaired within a timeframe “as reasonably directed” by the municipality; facilities that are “unsafe, structurally unsound, or noncompliant with applicable construction standards” shall be repaired in 30 days; “routine maintenance necessary to bring facilities into compliance” must be 90 days.
- Video Service Provider Fees
- VSPs must pay a portion of gross revenue to the municipality.
 - The municipality must use calculation provided by the Act.
 - Detailed definition of “gross revenue” – notably does not include “revenues from services classified as nonvideo service under federal law.”
 - The percentage of gross revenue paid to municipality is:
 - The percentage of gross revenue paid by an incumbent VSP or the maximum allowed by federal Cable Act, whichever is less.
 - If there is no incumbent, the percentage shall not exceed the maximum allowed by the federal Cable Act.
 - The same percentage applies to all VSPs in the municipality.
 - If another *non-regulated* entity pay a percentage of revenues or a monthly/annual fee for access to the ROW, VSPs must be given the same deal. If a non-regulated entity gets a one-time payment deal, VSPs’ gross revenue percentage ***is reduced to zero.***
- Public Access to VSP Services - VSP can’t deny service to a group of customers “based on the income of the residents in the local area in which such a group resides,” but municipalities can’t impose build-out requirements.

- Customer Service – VSPs must comply with federal cable customer service regulations. Must provide municipalities with a point of contact and have a process for resolving disputes. Must provide notice of rate or service changes.
- PEG channel requirements.

SB 2202 (eff. 7/1/26)

Imposes certain restrictions on unionization decisions on employers who receive economic development incentives from the State.

SB 2230 (eff. on passage)

Adds misdemeanor warrants and protection orders to statute allowing the use of electronic warrants. (99-3-47)

SB 2310 (eff. 7/1/26)

Allows PSC to cancel certificate for municipal water systems (in addition to electric systems) outside the one-mile boundary upon finding of inadequacy, or to petition chancery court to place the system in receivership. *See also* HB 1305 re: adequacy of municipal utilities inside corporate boundaries.

SB 2416 (eff. 7/1/26)

“Any full- or part-time law enforcement officer who is accused of drug use in violation of the employer’s policies or state law based upon the results of a urinalysis must be afforded the opportunity to undergo a subsequent, more scientifically reliable test before the officer is terminated.”

An LEO who fails a urinalysis is relieved of duty, placed on leave without pay, and has 2 days to contest the test results. If the LEO does not contest in two days, the employer may initiate discipline. If the LEO contests, they have another five days to report to a lab for a hair follicle test. LEO pays for the test but is reimbursed if it's negative. If it's negative, the urinalysis "shall be declared a false positive, and the officer shall be immediately placed back into his previous position of employment and shall receive back pay from the date of the officer's suspension."

SB 2578 (eff. 7/1/26)

Creates the Small Municipalities Federal Match Fund for the purpose of assisting municipalities with populations of less than 10,000 draw down federal funds. Match rate is 20% state or local funds to 80% federal funds. A municipality is limited to \$200,000 per fiscal year.

Notable Dead Legislation

HB 4 – Would have required an election upon petition of 20% of electors in the proposed annexation area, within 60 days after passage of the municipalities’ annexation ordinance. Referred to County Affairs, but it died.

HB 147 – Would have added five Schedule 1 controlled substances (“designer drugs”) 3 opioids, a hallucinogen, and a stimulant.

HB 669 – Would have allowed selling and shipping of distilled spirits directly to residents (in addition to wine)

SB 2893 – Would have changed the notice requirements for public hearings on zoning amendments, requiring publication 30 and 15 days in advance of such hearing on “three of the most-accessed interactive computer services” (which were identified in the Senate-passed version as Facebook, Instagram, and X. Would require publication at 30/15 days in a newspaper either “of general circulation” in the municipality county or “located in” the municipality or county. Would require availability for 30 days at city hall and the local library, and on the city’s website. Would also have changed the time to appeal a municipal decision under Section 11-51-75 from 10 days to 20 days.

SB 2432 – County prisoner charges to municipalities.

As introduced, would have deleted the following from Section 19-25-73:

(3) In the event that prisoners are housed in the county jail by any political subdivision of the state, the county may charge the political subdivision for

housing, feeding and otherwise caring for such prisoners an amount not to exceed the payments provided under state law for the keeping in the county jail of persons committed, sentenced or otherwise placed under the custody of the Department of Corrections. Nothing in this section shall be construed to affect payments by the Department of Corrections set by state law for the keeping in the county jail of persons committed, sentenced or otherwise placed under the custody of the Department of Corrections.

As passed the Senate, would have replaced that language with the following:

(3) In order to effectuate the purposes of this section, the board of supervisors is authorized to contract with any political subdivision of the state at an agreed upon rate which shall not be less than the payments by the Mississippi Department of Corrections to the county.

Note that Section 47-5-909(2) sets the DOC rate at \$25/day for days 1 through 30 and \$32.71 for day 31 and later. Recent AG opinions have held that municipalities may not pay more than the DOC rate under the current law and that “city prisoners” become “county prisoners” when they are bound over to the grand jury or waive their preliminary hearing.

