

By: Representatives Wallace, Miller,
Straughter, Thornton

To: Appropriations

HOUSE BILL NO. 1446

1 AN ACT TO AMEND SECTION 29-9-17, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT THE PRESIDENTS, CHANCELLORS AND DEPARTMENT HEADS OF
3 THE STATE INSTITUTIONS OF HIGHER LEARNING SHALL NOT BE PERSONALLY
4 LIABLE FOR THE INVENTORY OF THEIR RESPECTIVE INSTITUTIONS; AND FOR
5 RELATED PURPOSES.

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

7 SECTION 1. Section 29-9-17, Mississippi Code of 1972, is
8 amended as follows:

9 29-9-17. (1) If any officer or employee of any state agency
10 shall refuse or fail to make any inventory or supplemental
11 inventory thereto as required herein, or to do so in the manner
12 prescribed by the State Auditor, the State Auditor shall proceed
13 to make, or cause to be made, the inventory or supplemental
14 inventory; and the expense thereof shall be personally borne by
15 the officer or employee, and he shall be responsible on his
16 official bond for the payment of the expense.

17 (2) In the event that an examination conducted pursuant to
18 Section 29-9-13 finds items that are included on an agency's
19 inventory which are missing and otherwise unaccounted for, the
20 State Auditor has the authority to proceed under the provisions of
21 Section 7-7-211 to recover the value of the missing items. The
22 demand shall be made against the head of the agency, the agency's
23 property officer and/or the appropriate officer or employee, if
24 identified; however, if the missing items are the property of a
25 specific state institution of higher learning or a university
26 branch, any demand against the president, chancellor or a
27 department head of the state institution of higher learning shall

28 be made against that person in his representative capacity only,
29 and such individual shall not be personally liable for the value
30 of the missing items.

31 SECTION 2. This act shall take effect and be in force from
32 and after July 1, 1999.