

By: Senator(s) Harden

To: Fees, Salaries and
Administration

SENATE BILL NO. 2764

1 AN ACT TO AMEND SECTION 29-9-17, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT ANY DEMAND BY THE STATE AUDITOR AGAINST THE HEAD OF A
3 UNIVERSITY FOR RECOVERY OF THE VALUE OF MISSING PROPERTY SHALL NOT
4 BE PERSONALLY BORNE BY SUCH INDIVIDUAL IF THE PROPERTY LOSS
5 OCCURRED PRIOR TO HIS TERM OF OFFICE; AND FOR RELATED PURPOSES.

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

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

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

18 (2) In the event that an examination conducted pursuant to
19 Section 29-9-13 finds items that are included on an agency's
20 inventory which are missing and otherwise unaccounted for, the
21 State Auditor has the authority to proceed under the provisions of
22 Section 7-7-211 to recover the value of the missing items. The
23 demand shall be made against the head of the agency, the agency's
24 property officer and/or the appropriate officer or employee, if
25 identified. Provided, however, that any such demand against the
26 head of a state university shall not be personally borne by such
27 individual if the property loss occurred prior to his term of
28 office.

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