

By: Capps

To: Appropriations

HOUSE BILL NO. 1368

1 AN ACT TO AMEND SECTION 25-1-85, MISSISSIPPI CODE OF 1972, TO
2 INCREASE THE NUMBER OF VEHICLES OF THE CAPITOL POLICE; TO DELETE
3 PURCHASE RESTRICTIONS AS TO FEATURES AND OPTIONS ON NEW PASSENGER
4 VEHICLES; AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 25-1-85, Mississippi Code of 1972, is
7 amended as follows:[BD1]

8 25-1-85. The following state departments, agencies or
9 institutions are hereby allowed to purchase, own and operate, in
10 strict accordance with the provisions hereof, passenger vehicles
11 not to exceed the following numbers:

12	Office of the Attorney General.....	10
13	Agriculture and Commerce.....	23
14	Department of Economic and Community Development.....	14
15	Experiment Stations.....	16
16	Extension Service.....	1
17	Forestry Commission.....	48
18	Department of Transportation.....	115
19	Military Department.....	5
20	Department of Corrections.....	13
21	Parole Board.....	2
22	Mississippi Department of Public Safety.....	600
23	Division of Plant Industry.....	23
24	State Board of Mental Health.....	2
25	East Mississippi State Hospital.....	1
26	Mississippi State Hospital.....	2
27	Alcoholic Beverage Control Division of the	

28	Mississippi State Tax Commission.....	30
29	Soil and Water Conservation Commission.....	3
30	Ellisville State School.....	1
31	North Mississippi Retardation Center.....	1
32	South Mississippi Retardation Center.....	1
33	Board of Health.....	10
34	State Oil and Gas Board.....	3
35	Each institution of higher learning, for police	
36	purposes, provided each institution with	
37	more than 6,000 students may have 4.....	2
38	Wildlife, Fisheries and Parks.....	60
39	Surplus Property Procurement Commission.....	4
40	State Tax Commission-station wagons.....	2
41	State Tax Commission-automobiles.....	6
42	Mississippi Gaming Commission.....	60
43	Department of Environmental Quality.....	12
44	Pearl River Valley Water Supply District.....	7
45	Pearl River Basin Development District.....	2
46	Pat Harrison Waterway District.....	1
47	Department of Transportation -	
48	Office of State Aid Road Construction.....	10
49	Tennessee-Tombigbee Waterway Development Authority.....	2
50	Fair Commission.....	1
51	State Civil Defense Office (including	
52	communications vehicle).....	4
53	Bureau of Narcotics.....	120
54	Mississippi State Port Authority at Gulfport.....	6
55	Tombigbee Water Supply District.....	3
56	Board of Pharmacy.....	4
57	Yellow Creek State Inland Port Authority.....	1
58	Boat and Water Safety Commission.....	2
59	Department of Archives and History.....	2
60	State Fire Fighters Academy (station wagon).....	1

61 Office of Capitol Facilities - Capitol Police.....5

62 Office of Building, Grounds and Real Property.....1

63 State Veterans Affairs Board.....15

64 Employment Security Commission.....1

65 Forest Product Utilization Lab.....1

66 Mississippi Board of Nursing.....3

67 Certified Development Company of Mississippi, Inc.....1

68 State Board of Medical Licensure.....4

69 Mississippi Public Employees' Retirement System.....3

70 Mississippi Public Service Commission.....42

71 Department of Human Services.....2

72 Department of Rehabilitation Services.....4

73 Real Estate Commission.....2

74 Mississippi Library Commission - station wagons.....5

75 Boswell Regional Center.....1

76 Hudspeth Regional Center.....1

77 North Mississippi State Hospital.....1

78 South Mississippi State Hospital.....1

79 Motor Vehicle Commission.....1

80 Office of the State Auditor.....20

81 Division of Medicaid, Office of the Governor.....3

82 Department of Marine Resources.....3

83 Central Mississippi Residential Center.....1

84 Juvenile Rehabilitation Center.....1

85 Department of Education.....1

86 Except as provided in Sections 25-1-77 through 25-1-93, no

87 state department, institution or agency shall purchase, operate or

88 maintain any passenger vehicle out of any funds available for the

89 use of such department, institution or agency, unless same has

90 been or may be donated.

91 * * *

92 For purposes of this section, passenger vehicle shall be

93 defined as a vehicle which is designed to transport four (4) or

94 more persons and/or provides adequate seating for at least four
95 (4) persons. The terms "luxury vehicle," "full-size vehicle,"
96 "utility vehicle" and "carryall vehicle" shall be as defined by
97 the industry.

98 * * *

99 Nothing in Sections 25-1-77 through 25-1-93 shall be
100 construed to prohibit agencies, departments and institutions from
101 purchasing and operating passenger vehicles when used exclusively
102 to transport patients, prisoners, students, faculty or staff of
103 state institutions, blind and sighted employees essential to
104 operate blind training programs or material, products and
105 client-trainees in the sheltered workshop program, or bookmobiles.

106 The superintendents of the Columbia Training School and Oakley
107 Training School and the Commissioner of Corrections, or staff
108 members designated by them, may use such passenger vehicles for
109 other official functions and operations of those institutions at
110 their discretion. Passenger vehicles or similar vehicles used for
111 any other purposes shall be considered as automobiles and subject
112 to the restrictions set forth in the aforesaid sections.

113 In addition to the motor vehicles authorized to be owned and
114 operated by the Mississippi Department of Public Safety, said
115 department is also authorized to receive, own and operate special
116 purpose motor vehicles to be used solely in investigations.

117 Of the motor vehicles authorized to be owned and operated by
118 the Mississippi Highway Safety Patrol, no more than twenty-one
119 (21) vehicles may be kept for use by administrative personnel of
120 the patrol whose principal duties are performed at the Highway
121 Safety Patrol Headquarters Building and the Drivers' License
122 Examining Station in Hinds County to commute to and from the
123 residence of said personnel to the office at which such duties are
124 regularly performed.

125 Of the motor vehicles authorized to be owned and operated by
126 the Mississippi Department of Transportation, not more than five

127 (5) vehicles may be kept for use by administrative personnel of
128 the department to commute between their residences and the offices
129 at which their duties are regularly performed. The executive
130 director of the department is authorized to allow additional
131 department personnel to commute to and from their residences in
132 department vehicles due to the nature of their job and for the
133 safety of the traveling public.

134 Of the motor vehicles authorized to be owned and operated by
135 the State Tax Commission, no more than four (4) vehicles may be
136 kept for use by administrative personnel whose principal duties
137 are performed at State Tax Commission offices in Hinds County to
138 commute to and from the residence of said personnel to the office
139 at which such duties are regularly performed.

140 The provisions of Chapter 226, Laws of 1964, remain in force
141 and are not affected by this section.

142 Any state officer, employee or board member who violates any
143 of the foregoing provisions of Sections 25-1-77 through 25-1-85
144 shall be liable on his or her official bond for the total amount
145 of the purchase price of the passenger vehicle, plus the total
146 amount of funds expended in violation of said sections for the
147 operating costs of such vehicle.

148 SECTION 2. This act shall take effect and be in force from
149 and after its passage.