

By: Chaney, Tollison

To: Appropriations

SENATE BILL NO. 3154  
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 39-11-9, MISSISSIPPI CODE OF 1972, TO  
2 CLARIFY THE MISSISSIPPI ART COMMISSION'S AUTHORITY TO ACCEPT  
3 GIFTS, CONTRIBUTIONS AND BEQUESTS OF FUNDS FROM INDIVIDUALS,  
4 FOUNDATIONS, CORPORATIONS AND OTHER ORGANIZATIONS OR INSTITUTIONS  
5 FOR THE PURPOSE OF FURTHERING COMMISSION OBJECTIVES; TO REMOVE A  
6 PROVISION THAT REQUIRES PRIVATE DONATIONS, BEQUESTS OR FOUNDATION  
7 GRANTS TO THE MISSISSIPPI ARTS COMMISSION BE DEPOSITED INTO THE  
8 MISSISSIPPI FUND FOR THE ARTS; AND FOR RELATED PURPOSES.

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

10 SECTION 1. Section 39-11-9, Mississippi Code of 1972, is  
11 amended as follows:[WAN1]

12 39-11-9. (1) The Mississippi Arts Commission is authorized  
13 and empowered to hold public hearings, to enter into contracts  
14 within the limit of funds available therefor, with individuals,  
15 organizations and institutions for services furthering the  
16 objectives of the commission's programs; to enter into contracts,  
17 within the limit of funds available therefor, with local and  
18 regional associations for cooperative endeavors furthering the  
19 objectives of the commission's programs; to accept gifts,  
20 contributions and bequests of \* \* \* funds from individuals,  
21 foundations, corporations and other organizations or institutions  
22 for the purpose of furthering the objectives of the commission's  
23 programs; to make and sign any agreements and to do and perform  
24 any acts that may be necessary to carry out the purposes of this  
25 chapter. The commission may request and shall receive from any  
26 department, division, board, bureau, commission or agency of the  
27 state such assistance and data as will enable it properly to carry  
28 out its powers and duties hereunder.

29 (2) A special fund to be designated as the Mississippi Fund

30 for the Arts \* \* \* is hereby created in the State Treasury. All  
31 funds deposited in this fund shall be used exclusively for the  
32 objectives of the commission as herein provided. Donations,  
33 bequests and grants deposited into the Mississippi Fund for the  
34 Arts may be disbursed by the Mississippi Arts Commission in  
35 accordance with the terms of the bequest or grant and in  
36 compliance with the purposes and policies of the Mississippi Arts  
37 Commission. Any disbursements made from the fund shall be  
38 authorized by both the chairman and the executive director of the  
39 commission and shall be supported by official actions and votes  
40 spread upon the minutes of the commission at an open public  
41 meeting. Any unexpended balance in the fund at the end of the  
42 fiscal year shall not lapse into the State General Fund and may be  
43 expended by the commissioner in subsequent fiscal years. Any  
44 interest earned on the fund may remain in the fund for  
45 disbursement by the commission in compliance with its purposes and  
46 policies. All transactions of the fund shall be reported annually  
47 to appropriate state agencies and subject to audit by the State  
48 Auditor and by auditors of donors. The Mississippi Fund for the  
49 Arts shall not be used for grants from federal agencies,  
50 including, but not limited to, the National Endowment for the  
51 Arts.

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