

By: Senator(s) Kirby

To: Judiciary

SENATE BILL NO. 2653

1 AN ACT TO PROHIBIT ANY STATE, COUNTY OR MUNICIPAL EMPLOYEE,  
 2 WITH RESPECT TO ANY PUBLIC BUILDING OR CONSTRUCTION CONTRACT WHICH  
 3 HAS BEEN COMPETITIVELY BID, FROM REQUIRING THE BIDDER TO MAKE  
 4 APPLICATION TO, OR TO OBTAIN ANY OF THE SURETY BONDS FROM ANY  
 5 PARTICULAR INSURANCE OR SURETY COMPANY, AGENT OR BROKER; TO  
 6 PROVIDE CRIMINAL PENALTIES FOR VIOLATIONS OF THE ACT; AND FOR  
 7 RELATED PURPOSES.

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

9 SECTION 1. (1) No state, county, or municipal employee, and  
 10 no person acting or purporting to act on behalf of such employee,  
 11 or any state, county or municipal agency, shall, with respect to  
 12 any public building or construction contract which is about to be  
 13 or which has been competitively bid or negotiated, require the  
 14 bidder to make application to or furnish financial data to, or to  
 15 obtain or procure any of the surety bonds, or surety bond  
 16 components of wrap-up insurance, that is specified in connection  
 17 with such contract or specified by any law, from any particular  
 18 insurance or surety company, agent or broker.

19 (2) Any person who violates the provisions of this act shall  
 20 be guilty of a misdemeanor and upon conviction thereof, shall be  
 21 punished by a fine of not more than Five Thousand Dollars  
 22 (\$5,000.00) or by imprisonment in the county jail for a term not  
 23 to exceed five (5) years, or by both fine and imprisonment.

24 SECTION 2. This act shall take effect and be in force from  
 25 and after July 1, 2001.