

By: Senator(s) Thames, Williamson, Smith,  
Harden

To: Fees, Salaries and  
Administration;  
Appropriations

SENATE BILL NO. 2778  
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 25-1-77, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT THE DEPARTMENT OF FINANCE AND ADMINISTRATION SHALL  
3 PROMULGATE RULES AND REGULATIONS GOVERNING THE PURCHASE OF ANY  
4 STATE-OWNED MOTOR VEHICLE WITH REGARD TO THE APPROPRIATENESS OF  
5 THE VEHICLE TO ITS INTENDED USE; TO PROVIDE THAT THE DEPARTMENT OF  
6 FINANCE AND ADMINISTRATION SHALL NOT GRANT AUTHORITY TO PURCHASE A  
7 MOTOR VEHICLE WHICH IS NOT THE APPROPRIATE VEHICLE TYPE FOR ITS  
8 INTENDED USE UNLESS SPECIFICALLY APPROVED BY THE LEGISLATURE; TO  
9 DECLARE THE INTENT OF THE LEGISLATURE; TO REQUIRE THE STATE  
10 AUDITOR TO MAKE ON-SITE VISITS AND CONDUCT AUDITS NECESSARY TO  
11 ENSURE THE INTENT OF THIS ACT; TO REPEAL SECTION 25-1-85,  
12 MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE NUMBER OF PASSENGER  
13 VEHICLES WHICH MAY BE PURCHASED, OWNED AND OPERATED BY STATE  
14 DEPARTMENTS, AGENCIES OR INSTITUTIONS; TO INSURE THE  
15 CONFIDENTIALITY OF PEER RECORDS; AND FOR RELATED PURPOSES.

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

17 SECTION 1. Section 25-1-77, Mississippi Code of 1972, is  
18 amended as follows:

19 25-1-77. (1) No state department, institution or agency  
20 shall purchase any motor vehicle, regardless of the source of  
21 funds from which the motor vehicle is to be purchased, except  
22 under authority granted by the Department of Finance and  
23 Administration. The Department of Finance and Administration  
24 shall promulgate rules and regulations governing the purchase of  
25 any motor vehicle by a state department, institution or agency  
26 with regard to the appropriateness of the vehicle to its intended  
27 use. The Department of Finance and Administration shall not grant  
28 authority to purchase a motor vehicle which is not the most  
29 appropriate vehicle type for its intended use unless specifically  
30 approved by the Legislature.

31 (2) It is not the intent of the Legislature for the  
32 Department of Finance and Administration to determine the

33 sufficient number of motor vehicles needed by each state  
34 department, institution or agency, but to regulate the purchase so  
35 that the vehicle is the most appropriate type for its intended  
36 use. Further, it is the intent of the Legislature that any motor  
37 vehicle purchased shall be made with due concern for economical  
38 and efficient use, but shall also meet the needs of the  
39 department, institution or agency. The department, institution or  
40 agency shall maintain proper documentation signed by the executive  
41 director which provides the intended use of the vehicle and the  
42 basis for choosing the vehicle. Such documentation shall show  
43 that the department, institution or agency made reasonable efforts  
44 to purchase a vehicle that is economical and appropriate for its  
45 intended use. All such documentation shall be maintained and made  
46 available for review by the State Auditor and any other reviewing  
47 agency.

48 (3) The State Auditor shall make on-site visits and conduct  
49 audits necessary to ensure the intent of this section. On or  
50 before July 1 of each year, the State Auditor shall prepare and  
51 deliver to the Senate and House Fees, Salaries and Administration  
52 Committees and the Joint Legislative Budget Committee a report  
53 containing any irregularities that he finds concerning purchases  
54 of state-owned vehicles.

55 SECTION 2. Section 25-1-85, Mississippi Code of 1972, which  
56 provides the number of passenger vehicles which may be purchased,  
57 owned and operated by state departments, agencies or institutions,  
58 is hereby repealed.

59 SECTION 3. This act shall take effect and be in force from  
60 and after its passage.