SENATE BILL NO. 2778
(As Sent to Governor)

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

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

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

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

(2) It is not the intent of the Legislature for the Department of Finance and Administration to determine the...
sufficient number of motor vehicles needed by each state
department, institution or agency, but to regulate the purchase so
that the vehicle is the most appropriate type for its intended
use. Further, it is the intent of the Legislature that any motor
vehicle purchased shall be made with due concern for economical
and efficient use, but shall also meet the needs of the
department, institution or agency. The department, institution or
agency shall maintain proper documentation signed by the executive
director which provides the intended use of the vehicle and the
basis for choosing the vehicle. Such documentation shall show
that the department, institution or agency made reasonable efforts
to purchase a vehicle that is economical and appropriate for its
intended use. All such documentation shall be maintained and made
available for review by the State Auditor and any other reviewing
agency.

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

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

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