MISSISSIPPI LEGISLATURE

REGULAR SESSION 2002

By: Representative Brown

To: Appropriations

HOUSE BILL NO. 1390

AN ACT TO AMEND SECTION 31-7-9, MISSISSIPPI CODE OF 1972, TO
AUTHORIZE THE OFFICE OF PURCHASING AND TRAVEL TO ADOPT PURCHASING
REGULATIONS GOVERNING THE USE OF CREDIT CARDS, PROCUREMENT CARDS
AND/OR PURCHASING CLUB MEMBERSHIP CARDS TO BE USED BY STATE
AGENCIES AND LOCAL GOVERNING AUTHORITIES; TO PROVIDE THAT USE OF
THOSE CARDS MUST BE IN STRICT COMPLIANCE WITH THE REGULATIONS
ESTABLISHED BY THE OFFICE; TO PROVIDE THAT ANY AMOUNTS DUE UNDER
SUCH A CARD SHALL INCUR INTEREST CHARGES AND SHALL NOT BE
CONSIDERED DEBT; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 31-7-9, Mississippi Code of 1972, is
amended as follows:

31-7-9. (1) The Office of Purchasing and Travel shall adopt
purchasing regulations governing the purchase by any agency of any
commodity or commodities and establishing standards and
specifications for a commodity or commodities and the maximum fair
prices of a commodity or commodities, subject to the approval of
the Public Procurement Review Board. The office may adopt
purchasing regulations governing the use of credit cards,
procurement cards and/or purchasing club membership cards to be
used by agencies and governing authorities; however, use of those
cards must be in strict compliance with the regulations
established by the office. Any amounts due under such a card
shall incur interest charges as provided in Section 31-7-305 and
shall not be considered debt. The office shall have the power to
amend, add to or eliminate purchasing regulations. The adoption
of, amendment, addition to or elimination of purchasing
regulations shall be based upon a determination by the office,
with the approval of the Public Procurement Review Board, that
the action is reasonable and practicable and advantageous to
promote efficiency and economy in the purchase of commodities by
the agencies of the state. Upon the adoption of any purchasing
regulation, or an amendment, addition to or elimination of any
regulation, copies of them shall be furnished to the State Auditor
and to all agencies affected by them. Thereafter, and except as
otherwise may be provided in subsection (2) of this section, no
agency of the state shall purchase any commodities covered by
existing purchasing regulations unless those commodities are in
conformity with the standards and specifications set forth in the
purchasing regulations and unless the price of the commodities
does not exceed the maximum fair price established by the
purchasing regulations. The * * * office * * * shall furnish to
any county or municipality or other local public agency of the
state requesting them, copies of purchasing regulations adopted by
the office * * * and any amendments, changes to or eliminations of
the regulations that may be made from time to time.

(2) The Office of Purchasing and Travel shall adopt, subject
to the approval of the Public Procurement Review Board, purchasing
regulations governing the purchase of unmarked vehicles to be used
by the Bureau of Narcotics and Department of Public Safety in
official investigations under Section 25-1-87. The regulations
shall ensure that purchases of those vehicles shall be at a fair
price and shall take into consideration the peculiar needs of the
Bureau of Narcotics and Department of Public Safety in undercover
operations.

SECTION 2. This act shall take effect and be in force from
and after July 1, 2002.