HOUSE BILL NO. 1658

AN ACT TO AMEND SECTION 27-105-305, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE TREASURER SHALL SELECT A DEPOSITORY OR DEPOSITORIES FOR A COUNTY IF A BID OR OFFER SUBMITTED BY A BANK TO ACT AS A DEPOSITORY FOR THE COUNTY, IF ACCEPTED, WOULD RESULT IN A CONTRACT IN WHICH A MEMBER OF THE BOARD OF SUPERVISORS, OR OTHER OFFICER OR EMPLOYEE OF THE BOARD OF SUPERVISORS, WOULD HAVE A DIRECT OR INDIRECT INTEREST; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 27-105-305, Mississippi Code of 1972, is amended as follows:

27-105-305. The board of supervisors at the regular December 1997 meeting, and annually thereafter or, in the discretion of the board of supervisors, every two (2) years thereafter, shall give notice to all financial institutions in its county whose accounts are insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation (or any successor thereto), by publication, that bids will be received from financial institutions at the following January meeting, or some subsequent meeting, for the privilege of keeping the county funds, or any part thereof, which notice shall refer by name to this article and it shall not be necessary to incorporate in the notice the provisions of this article; and at the January meeting, or a subsequent meeting as may be designated in the notice, as the case may be, the board of supervisors shall receive such bids or proposals as the financial institutions may make for the privilege of keeping the county funds, or any part thereof. The bids or proposals shall designate the kind of security as authorized by law which the financial institutions propose to give as security for funds, and the board shall cause the county funds and all
other funds in the hands of the county treasurer to be deposited
in the qualified financial institution or qualified institutions
proposing the best terms and meeting the requirements provided in
Section 27-105-315, having in view the safety of such funds. The
terms made with each depository shall remain in force for the
current year and until new arrangements shall be made according to
this article.

If a bank submits a bid or offer to act as a depository for
the county and such bid or offer, if accepted, would result in a
contract in which a member of the board of supervisors, or any
other officer or employee of the board of supervisors, would have
a direct or indirect interest, then the board of supervisors shall
not open or consider any bids received. The clerk of the board of
supervisors shall submit the matter to the State Treasurer, who
may solicit bids, select a depository or depositories, make all
decisions and take any action within the authority of the board of
supervisors under this section relating to the selection of a
depository or depositories.

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