

By: Representatives Moore (100th), Mitchell

To: County Affairs

HOUSE BILL NO. 1658

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

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

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

11 27-105-305. The board of supervisors at the regular December  
12 1997 meeting, and annually thereafter or, in the discretion of the  
13 board of supervisors, every two (2) years thereafter, shall give  
14 notice to all financial institutions in its county whose accounts  
15 are insured by the Federal Deposit Insurance Corporation or the  
16 Federal Savings and Loan Insurance Corporation (or any successor  
17 thereto), by publication, that bids will be received from  
18 financial institutions at the following January meeting, or some  
19 subsequent meeting, for the privilege of keeping the county funds,  
20 or any part thereof, which notice shall refer by name to this  
21 article and it shall not be necessary to incorporate in the notice  
22 the provisions of this article; and at the January meeting, or a  
23 subsequent meeting as may be designated in the notice, as the case  
24 may be, the board of supervisors shall receive such bids or  
25 proposals as the financial institutions may make for the privilege  
26 of keeping the county funds, or any part thereof. The bids or  
27 proposals shall designate the kind of security as authorized by  
28 law which the financial institutions propose to give as security  
29 for funds, and the board shall cause the county funds and all



30 other funds in the hands of the county treasurer to be deposited  
31 in the qualified financial institution or qualified institutions  
32 proposing the best terms and meeting the requirements provided in  
33 Section 27-105-315, having in view the safety of such funds. The  
34 terms made with each depository shall remain in force for the  
35 current year and until new arrangements shall be made according to  
36 this article.

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

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

