

By: Representative Taylor

To: Education

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 200

1 AN ACT TO AMEND SECTIONS 37-7-303 AND 37-7-319, MISSISSIPPI
2 CODE OF 1972, TO REQUIRE SCHOOL DISTRICTS TO ISSUE REQUESTS FOR
3 PROPOSALS FOR INSURANCE CONTRACTS; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 37-7-303, Mississippi Code of 1972, is
6 amended as follows:

7 37-7-303. (1) The school board of any school district may
8 insure motor vehicles and shall insure the school buildings,
9 equipment and other school property of the district against any
10 and all hazards that the board may deem necessary to provide
11 insurance against. Before entering any contract for such
12 insurance, the school board shall issue publicly a request for
13 proposals. The request for proposals must include a clear
14 description of the minimum coverage and services sought by the
15 school district, the terms and conditions relating to submission
16 of proposals, the criteria upon which an evaluation of the
17 proposals will be based and any other matters that the school
18 board determines to be appropriate for inclusion. Upon receiving
19 responses to the request for proposals, the school board shall
20 select the lowest and best bid or bids on the basis of price,
21 coverage and any other relevant factors determined to be
22 appropriate by the school board. The school board shall enter
23 into its minutes the acceptance of a proposal and the determining
24 factors supporting its decision. The cost of such insurance shall
25 be paid out of any school funds of the district other than
26 adequate education program funds. Such school board shall be
27 authorized to contract for such insurance for a term of not



28 exceeding five (5) years and to obligate the district for the
29 payment of the premiums thereon. When necessary, the school board
30 is authorized and empowered, in its discretion, to borrow money
31 payable in annual installments for a period of not exceeding five
32 (5) years at a rate of interest not exceeding eight percent (8%)
33 per annum to provide funds to pay such insurance premiums. The
34 money so borrowed and the interest thereon shall be payable from
35 any school funds of the district other than adequate education
36 program funds. The school boards of school districts are further
37 authorized and empowered, in all cases where same may be
38 necessary, to bring and maintain suits and other actions in any
39 court of competent jurisdiction for the purpose of collecting the
40 proceeds of insurance policies issued upon the property of such
41 school district.

42 (2) Two (2) or more school districts, together with other
43 educational entities or agencies, may agree to pool their
44 liabilities to participate in a group workers' compensation
45 program. The governing authorities of any school board or other
46 educational entity or agency may authorize the organization and
47 operation of, or the participation in such a group self-insurance
48 program with other school boards and educational entities or
49 agencies, subject to the requirements of Section 71-3-5. The
50 Workers' Compensation Commission shall approve such group
51 self-insurance programs subject to uniform rules and regulations
52 as may be adopted by the commission applicable to all groups.

53 **SECTION 2.** Section 37-7-319, Mississippi Code of 1972, is
54 amended as follows:

55 37-7-319. All public school boards may purchase group
56 insurance coverage for the liability of all of its active
57 full-time instructional and noninstructional personnel. Before
58 entering any contract for such insurance, the school board shall
59 issue publicly a request for proposals. The request for proposals
60 must include a clear description of the minimum coverage and



61 services sought by the school district, the terms and conditions
62 relating to submission of proposals, the criteria upon which an
63 evaluation of the proposals will be based and any other matters
64 that the school board determines to be appropriate for inclusion.
65 Upon receiving responses to the request for proposals, the school
66 board shall select the lowest and best bid or bids on the basis of
67 price, coverage and any other relevant factors determined to be
68 appropriate by the school board. The school board shall enter
69 into its minutes the acceptance of a proposal and the determining
70 factors supporting its decision. Such policy shall be paid for
71 with any funds available other than state adequate education
72 program funds.

73 **SECTION 3.** This act shall take effect and be in force from
74 and after July 1, 2003.

