SENATE BILL NO. 2425

AN ACT TO AMEND SECTION 27-35-165, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT COUNTIES MAY NOT ENTER INTO REAPPRAISAL CONTRACTS WITH PRIVATE FIRMS UNLESS ALL THE EMPLOYEES OF SUCH FIRMS WHO APPRAISE PROPERTY ARE STATE CERTIFIED REAL ESTATE APPRAISERS; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 27-35-165, Mississippi Code of 1972, is amended as follows:

27-35-165. (1) No county shall expend funds for the reappraisal of property unless the plans for reappraisal or the contract for reappraisal is in conformity with the then existing rules and regulations of the State Tax Commission and has been approved by the State Tax Commission.

(2) Reapraisals by a county may be accomplished by:

(a) Contracting with private firms for performance of the work;

(b) Hiring private consultants to perform certain functions of the work along with overseeing the balance of the work which shall be performed by county employees trained by the consultant; or

(c) Employing, schooling and training county employees to perform all of the work under the supervision of the tax assessor.

(3) All contracts made pursuant to subsection (2)(a) of this section shall require that the contractor furnish a payment and performance bond in an amount not less than one hundred percent (100%) of the contract price, which bond shall be conditioned, in part, to guarantee successful completion of the
contract and may be conditioned upon payment of the cost of
defense of any suits which may be brought against the county, the
board of supervisors or the assessor arising out of such
reappraisal for a period of one (1) year after completion thereof.

(b) No county shall enter into a contract with a
private firm pursuant to subsection (2)(a) of this section unless
all the employees of the firm who appraise property are state
certified real estate appraisers as defined in Section 74-34-3.

(4) Each county engaged in reappraisal of property shall
submit such periodic reports to the State Tax Commission as the
commission may require. If, at any time, the State Tax Commission
determines that the reappraisal is not in conformity to the
approved plan or contract, the commission shall notify the
affected board of supervisors of the deficiencies and the board
shall take action acceptable to the commission to correct the
deficiencies within thirty (30) days or make no further
expenditures on the project until the necessary corrective actions
are approved by the commission.

(5) Upon payment for any work done on any contract regarding
reappraisal, the work product for which payment is made shall
become the property of the county.

SECTION 2. This act shall take effect and be in force from
and after July 1, 2003.