SENATE BILL NO. 2749  
(As Passed the Senate)  

AN ACT TO AMEND SECTION 31-9-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ANY STATE AGENCY TO DONATE GOODS AND SERVICES TO ANY NONPROFIT AND TAX EXEMPT INSTITUTION, SPECIFICALLY INCLUDING THE LOCAL CHAPTER OF THE AMERICAN RED CROSS; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 31-9-5, Mississippi Code of 1972, is amended as follows:

31-9-5. (1) The Office of General Services with the approval of the Public Procurement Review Board shall negotiate and contract with any appropriate agency or commission of the United States government or of the State of Mississippi for the purpose of purchasing or otherwise securing surplus material or property in bulk lots or quantities, and for the purpose of assisting all agencies, departments, institutions and instrumentalities of the State of Mississippi, the boards of supervisors of the various counties, and the governing authorities of the various municipalities, drainage districts and other taxing units in purchasing, leasing or otherwise securing surplus material or property. After ascertaining the needs of the various state departments and institutions, counties, municipalities, drainage districts and other taxing units, the Office of General Services may enter into contracts with the governing authorities of such governmental entities as will enable them to carry out the provisions of this section.

(2) The Office of General Services also may acquire state or federal government surplus property for nonprofit and tax exempt health and educational institutions, Boy Scouts, Girl Scouts, Camp Fire Girls, military academies, volunteer fire departments,
nonprofit cooperative water associations, Boys Clubs of America and Girls Clubs of America; however, deliveries to these institutions shall be made only after they have established their eligibility by meeting the requirements of the federal government, have requested the Office of General Services to act for them in acquiring government surplus property, and have agreed to comply with both the state and federal laws pertaining to acquisition and utilization of the property.

(3) Any state agency, with the approval of the Office of General Services, is hereby authorized and empowered, in the discretion of the governing board or authority of the state agency, to donate goods or services for the support of any nonprofit and tax exempt entity, specifically including the local chapter of the American Red Cross; however, deliveries to these entities shall be made only after they have established their eligibility by meeting the requirements of the federal government, have requested the Office of General Services to act for them in acquiring government surplus property, and have agreed to comply with both the state and federal laws pertaining to acquisition and utilization of the property.

(4) The Office of General Services may do all other things which may be necessary to effectuate the purposes of this section.

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