

By: Senator(s) Minor

To: Finance

SENATE BILL NO. 2867

1 AN ACT TO AMEND SECTION 27-35-165, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT THE WORK OF PRIVATE FIRMS WITH WHOM A COUNTY
3 CONTRACT TO REAPPRAISE PROPERTY SHALL BE UNDER THE DIRECTION OF
4 THE COUNTY TAX COLLECTOR; TO PROVIDE THAT ALL PERSONNEL EMPLOYED
5 OR OTHERWISE ENGAGED BY SUCH PRIVATE FIRM TO APPRAISE PROPERTY
6 SHALL BE STATE CERTIFIED REAL ESTATE APPRAISERS; TO PROVIDE THAT
7 THE WORK PRODUCT OF ANY CONTRACT REGARDING REAPPRAISAL SHALL BE
8 CERTIFIED BY THE COUNTY TAX ASSESSOR AS COMPLETE AND CORRECT; TO
9 PROVIDE THAT NO PAYMENT OR PARTIAL PAYMENT SHALL BE MADE UNLESS
10 THE CERTIFICATION BY THE COUNTY TAX ASSESSOR IS FIRST SPREAD UPON
11 THE MINUTES OF THE BOARD OF SUPERVISORS; AND FOR RELATED PURPOSES.

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

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

15 27-35-165. (1) No county shall expend funds for the
16 reappraisal of property or for property appraisal updates unless
17 the plans for reappraisal or the contract for reappraisal is in
18 conformity with the then existing rules and regulations of the
19 State Tax Commission and has been approved by the State Tax
20 Commission.

21 (2) * * * Reappraisals by a county may be accomplished by:

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

24 (b) Hiring private consultants to perform certain
25 functions of the work * * *; or

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

29 (3) (a) All contracts made pursuant to subsection (2)(a) of
30 this section shall require that the contractor furnish a payment
31 and performance bond in an amount not less than one hundred



32 percent (100%) of the contract price, which bond shall be
33 conditioned, in part, to guarantee successful completion of the
34 contract and may be conditioned upon payment of the cost of
35 defense of any suits which may be brought against the county, the
36 board of supervisors or the assessor arising out of such
37 reappraisal for a period of one (1) year after completion thereof.

38 (b) All work performed under a contract with a private
39 firm pursuant to subsection (2)(a) of this section shall be under
40 the direction of the county tax assessor and all personnel
41 employed or otherwise engaged by such private firm to appraise
42 property shall be state certified real estate appraisers as
43 defined in Section 74-34-3.

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

54 (5) The work product of any contract regarding reappraisal
55 shall be certified by the county tax assessor as complete and
56 correct. No payment or partial payment for any work done on any
57 contract for reappraisal shall be made unless the certification of
58 the work product by the county tax assessor is first spread upon
59 the minutes of the board of supervisors. Upon payment for any
60 work done on any contract regarding reappraisal, the work product
61 for which payment is made shall become the property of the county.

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

