

By: Representative Holland

To: Appropriations

HOUSE BILL NO. 743

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

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

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

8 31-9-5. (1) The Office of General Services with the
9 approval of the Public Procurement Review Board shall negotiate
10 and contract with any appropriate agency or commission of the
11 United States government or of the State of Mississippi for the
12 purpose of purchasing or otherwise securing surplus material or
13 property in bulk lots or quantities, and for the purpose of
14 assisting all agencies, departments, institutions and
15 instrumentalities of the State of Mississippi, the boards of
16 supervisors of the various counties, and the governing authorities
17 of the various municipalities, drainage districts and other taxing
18 units in purchasing, leasing or otherwise securing surplus
19 material or property. After ascertaining the needs of the various
20 state departments and institutions, counties, municipalities,
21 drainage districts and other taxing units, the Office of General
22 Services may enter into contracts with the governing authorities
23 of such governmental entities as will enable them to carry out the
24 provisions of this section.

25 (2) The Office of General Services also may acquire state or
26 federal government surplus property for nonprofit and tax exempt
27 health and educational institutions, Boy Scouts, Girl Scouts, Camp
28 Fire Girls, military academies, volunteer fire departments,

29 nonprofit cooperative water associations, Boys Clubs of America
30 and Girls Clubs of America; however, deliveries to these
31 institutions shall be made only after they have established their
32 eligibility by meeting the requirements of the federal government,
33 have requested the Office of General Services to act for them in
34 acquiring government surplus property, and have agreed to comply
35 with both the state and federal laws pertaining to acquisition and
36 utilization of the property.

37 (3) Any state agency, with the approval of the Office of
38 General Services, is authorized and empowered, in the discretion
39 of the governing board or authority of the state agency, to donate
40 goods or services for the support of any nonprofit and tax exempt
41 entity, specifically including the local chapter of the American
42 Red Cross.

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

45 **SECTION 2.** This act shall take effect and be in force from
46 and after July 1, 2004.