

By: Senator(s) Hewes

To: Fees, Salaries and Administration

SENATE BILL NO. 2074

1 AN ACT TO PROHIBIT ANY OFFICER OR EMPLOYEE OF ANY STATE
2 AGENCY, COUNTY, MUNICIPALITY OR ANY OTHER POLITICAL SUBDIVISION OF
3 THE STATE WHO HAS BEEN ASSIGNED OR ISSUED A CELLULAR TELEPHONE
4 PAID FOR BY PUBLIC FUNDS FROM USING SUCH TELEPHONE FOR PERSONAL
5 PURPOSES; TO PROHIBIT SUCH EMPLOYEES FROM BEING REIMBURSED FOR USE
6 OF THEIR PERSONAL CELLULAR TELEPHONES; TO REQUIRE GOVERNMENTAL
7 ENTITIES TO SELECT CELLULAR TELEPHONE VENDORS FROM A STATE
8 APPROVED LIST; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** (1) No officer or employee of any state agency,
11 any county, any municipality or any other political subdivision of
12 the state, or any instrumentality thereof, to whom has been
13 assigned, issued or made available the use of a cellular
14 telephone, the cost of which is paid through the use of public
15 funds, shall use such phone for personal use.

16 (2) A state agency, county, municipality or other political
17 subdivision of the state, or any instrumentality thereof, shall
18 not reimburse any officer or employee for use of his or her
19 personal cellular telephone.

20 (3) Every state agency, county, municipality and other
21 political subdivision of the state that, at the expense of the
22 governmental entity, assigns, issues or makes available to any of
23 its officers or employees a cellular telephone shall obtain
24 detailed call billing for every cellular account. A list of
25 approved vendors for the delivery of cellular telephone services
26 shall be developed for state agencies and political subdivisions
27 of the state by the Mississippi Department of Information
28 Technology Services. The department may exercise the option of
29 selecting one (1) vendor to provide the services, or if it deems
30 such to be most advantageous to the state, it may select multiple

31 vendors. If it chooses to use multiple vendors, the department
32 may select vendors on the basis of lowest and best bid proposals,
33 or it may establish a state contract per minute price and allow
34 any vendor who agrees to provide service at the contract price to
35 be added to the list of vendors. A state agency or political
36 subdivision may not contract for cellular telephone services with
37 any vendor unless the vendor appears on a list approved by the
38 department.

39 **SECTION 2.** This act shall take effect and be in force from
40 and after October 1, 2004.