

By: Senator(s) Burton

To: Public Health and Welfare

SENATE BILL NO. 2661

1 AN ACT TO AMEND SECTION 73-21-79, MISSISSIPPI CODE OF 1972,
2 TO PROHIBIT THE EXECUTIVE DIRECTOR OF THE STATE BOARD OF PHARMACY
3 OR ANY PHARMACIST-INSPECTOR FROM HAVING A DIRECT OR INDIRECT
4 INTEREST IN THE OPERATION OF A PHARMACY IN MISSISSIPPI; AND FOR
5 RELATED PURPOSES.

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

7 **SECTION 1.** Section 73-21-79, Mississippi Code of 1972, is
8 amended as follows:

9 73-21-79. (1) The board shall employ an executive director
10 of the board. The executive director shall be a citizen of
11 Mississippi and a pharmacist licensed and in good standing to
12 practice pharmacy in the State of Mississippi, who has had five
13 (5) years' experience as a pharmacist.

14 (2) The executive director shall receive a salary to be set
15 by the board, subject to the approval of the State Personnel
16 Board, and shall be entitled to necessary expenses incurred in the
17 performance of his official duties. He shall devote full time to
18 the duties of his office and shall not be interested directly or
19 indirectly as defined in Section 73-21-73 in the operation of a
20 pharmacy in Mississippi or any other facility permitted by the
21 board or engaged in any other business that will interfere with
22 the duties of his office.

23 (3) The duties and responsibilities of the executive
24 director shall be defined by rules and regulations prescribed by
25 the board.

26 (4) The board may, in its discretion, employ persons in
27 addition to the executive director in such other positions or
28 capacities as it deems necessary to the proper conduct of board

29 business. Any pharmacist-investigator employed by the board shall
30 not be interested directly or indirectly as defined in Section
31 73-21-73 in the operation of a pharmacy in Mississippi or any
32 other facility permitted by the board or engage in any other
33 business that will interfere with his pharmacist-investigator
34 duties. The board may employ legal counsel to assist in the
35 conduct of its business.

36 **SECTION 2.** This act shall take effect and be in force from
37 and after July 1, 2007.