

By: Senator(s) Parker, Blackwell, McLendon

To: Education

SENATE BILL NO. 2283

1 AN ACT TO AMEND SECTION 37-11-27, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT CONFLICT-OF-INTEREST PROVISIONS APPLICABLE TO  
3 SCHOOL DISTRICTS DO NOT APPLY TO EMPLOYEES WITH NO AUTHORITY TO  
4 NEGOTIATE SCHOOL DISTRICT CONTRACTS; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 37-11-27, Mississippi Code of 1972, is  
7 amended as follows:

8 37-11-27. It shall be unlawful for any member of the board  
9 of trustees of any school district, any member of the county board  
10 of education, the county superintendent of education, or any  
11 superintendent, principal \* \* \* or other school district  
12 administrator with authority to negotiate school district  
13 contracts, to have or own any direct or indirect interest  
14 individually or as agent or employee of any person, partnership,  
15 firm, or corporation in any contract made or let by the county  
16 board of education, the county superintendent of education or the  
17 board of trustees of the school district for the construction,  
18 repair, or improvement of any school facility, the furnishing of  
19 any supplies, materials, or other articles, the doing of any



20 public work or the transportation of children or upon any  
21 subcontract arising therefrom or connected therewith in any  
22 manner. The board of trustees of any school district shall be  
23 authorized to contract with a teacher or school district employee  
24 to perform extra work without being in violation of the provisions  
25 of this section. The board of trustees shall make a case-by-case  
26 determination of the possible conflicts of interest arising from  
27 any extra work contracts and such decision by the board shall be  
28 final. Any contract entered into in violation of the provisions  
29 of this section shall be void and of no effect. Any person who  
30 shall authorize or enter into any contract in violation of the  
31 provisions hereof, or who shall knowingly or \* \* \* willfully pay  
32 out or receive any money upon any such contract shall be civilly  
33 liable for the amount so paid or received, and, in the case of an  
34 official who has furnished a bond, the surety upon such bond shall  
35 likewise be liable for such amount. In addition thereto, any  
36 person who shall violate the provisions of this section shall be  
37 guilty of a misdemeanor and, upon conviction, shall be punished by  
38 a fine of not less than One Hundred Dollars (\$100.00) nor more  
39 than Five Hundred Dollars (\$500.00), or by imprisonment in the  
40 county jail not less than thirty (30) days nor more than ninety  
41 (90) days, or by both such fine and imprisonment, in the  
42 discretion of the court.

43 **SECTION 2.** This act shall take effect and be in force from  
44 and after July 1, 2020.

