

By: Representatives Weathersby, Brown (20th) To: Public Property

HOUSE BILL NO. 1132

1 AN ACT TO AMEND SECTION 29-5-2, MISSISSIPPI CODE OF 1972, TO
 2 ADD 350 HIGH STREET, 401 NORTH LAMAR STREET, AND 455 NORTH LAMAR
 3 STREET, TO THE LIST OF STATE PROPERTIES LOCATED IN THE CITY OF
 4 JACKSON THAT THE DEPARTMENT OF FINANCE AND ADMINISTRATION IS
 5 REQUIRED TO EXERCISE GENERAL SUPERVISION AND CARE OVER AND KEEP IN
 6 GOOD CONDITION; TO REQUIRE THE DEPARTMENT TO SOLICIT AND APPROVE
 7 OR DISAPPROVE ANY LEASE, USE OR RENTAL AGREEMENT FOR A CHARGE OR
 8 OTHER CONSIDERATION FOR CERTAIN SPACE NOT EXCEEDING THREE THOUSAND
 9 SQUARE FEET IN ANY INDIVIDUAL BUILDING, WITH A PRIVATE ENTRY WHO
 10 WILL PROVIDE FOOD AND/OR CATERING SERVICES FOR STATE EMPLOYEES,
 11 VISITORS AND THE GENERAL PUBLIC; TO REQUIRE THAT THE DEPARTMENT
 12 SELECT THE ENTITY FOR SUCH LEASE, CONTRACT, OR RENTAL AGREEMENT
 13 USING A COMPETITIVE PROCESS THAT IS PUBLICLY ADVERTISED; TO
 14 REQUIRE THAT THE DEPARTMENT DEMONSTRATE THAT ANY SUCH AGREEMENT
 15 ENTERED INTO WILL NEITHER RESULT IN A NET COST TO THE STATE, NOR
 16 IMPAIR OR IMPEDE THE FUNCTION OF STATE AGENCIES AT SUCH LOCATION;
 17 AND FOR RELATED PURPOSES.

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

19 **SECTION 1.** Section 29-5-2, Mississippi Code of 1972, is
 20 amended as follows:

21 29-5-2. The duties of the Department of Finance and
 22 Administration shall be as follows:

23 (a) (i) To exercise general supervision and care over
 24 and keep in good condition the following state property located in
 25 the City of Jackson: the New State Capitol Building, the Woolfolk



26 State Office Building and Parking Garage, the Carroll Gartin
27 Justice Building, the Walter Sillers Office Building and Parking
28 Garage, the War Veterans' Memorial Building, the Charlotte Capers
29 Building, the William F. Winter Archives and History Building, the
30 Mississippi Museum Complex, the Gulf, Mobile and Ohio Train Depot
31 (GM&O Depot), the Old State Capitol Building, the Governor's
32 Mansion, the Heber Ladner Building, the Robert E. Lee Office
33 Building, the Robert E. Lee Parking Garage, the former Naval
34 Reserve Center, 515 East Amite Street, 620 North Street, 660 North
35 Street, 700 North State Street, 350 High Street, 401 North Lamar
36 Street, 455 North Lamar Street, the State Records Center, the
37 Robert G. Clark, Jr. Building, the Mississippi State Fairgrounds
38 Complex, * * * the former Central High Building, as well as all
39 state-owned or leased buildings situated on seat of government
40 property.

41 (ii) To exercise general supervision and care over
42 and keep in good condition the Dr. Eldon Langston Bolton Building
43 located in Biloxi, Mississippi.

44 (iii) To exercise general supervision and care
45 over and keep in good condition the State Service Center, located
46 at the intersection of U.S. Highway 49 and John Merl Tatum
47 Industrial Drive in Hattiesburg, Mississippi.

48 (iv) To exercise general supervision and care over
49 and keep in good condition any property purchased, constructed or
50 otherwise acquired by the State of Mississippi for conducting



51 state business and not specifically under the supervision and care
52 by any other state entity, but which is reasonably assumed the
53 department would be responsible for such, as approved by the
54 Public Procurement Review Board, including, but not limited to:

- 55 1. The National Aeronautics and Space
56 Administration (NASA) Shared Services Center and Lockheed Martin
57 Building at Stennis Space Center;
- 58 2. The Mississippi Sports Hall of Fame;
- 59 3. The Mississippi Crafts Center;
- 60 4. The Mississippi Children's Museum; and
- 61 5. The Mississippi Arts and Entertainment
62 Center.

63 (b) To assign suitable office space for the various
64 state departments, officers and employees who are provided with an
65 office in any of the buildings under the jurisdiction or control
66 of the Department of Finance and Administration. However, the
67 assignment of space in the New Capitol Building shall be
68 designated by duly passed resolution of the combined Senate Rules
69 Committee and the House Management Committee, meeting as a joint
70 committee, approved by the Lieutenant Governor and Speaker of the
71 House of Representatives. A majority vote of the members of the
72 Senate Rules Committee and a majority vote of the members of the
73 House Management Committee shall be required on all actions taken,
74 resolutions or reports adopted, and all other matters considered
75 by the full combined committee on occasions when the Senate Rules



76 Committee and the House Management Committee shall meet as a full
77 combined committee.

78 (c) To approve or disapprove with the concurrence of
79 the Public Procurement Review Board, any lease or rental
80 agreements by any state agency or department, including any state
81 agency financed entirely by federal and special funds, for space
82 outside the buildings under the jurisdiction of the Department of
83 Finance and Administration, including space necessary for parking
84 to be used by state employees who work in the Woolfolk Building,
85 the Carroll Gartin Justice Building or the Walter Sillers Office
86 Building. In no event shall any employee, officer, department,
87 federally funded agency or bureau of the state be authorized to
88 enter into a lease or rental agreement without prior approval of
89 the Department of Finance and Administration and the Public
90 Procurement Review Board.

91 The Department of Finance and Administration is authorized to
92 use architects, engineers, building inspectors and other personnel
93 for the purpose of making inspections as may be deemed necessary
94 in carrying out its duties and maintaining the facilities.

95 This section is not intended to apply to locations for which
96 the Department of Finance and Administration has decided to
97 solicit proposals in accordance with subsection (e) of this
98 section.

99 (d) To acquire by lease, lease-purchase agreement, or
100 otherwise, as provided in Section 27-104-107, and to assign



101 through the Office of General Services, by lease or sublease
102 agreement from the office, and with the concurrence of the Public
103 Procurement Review Board, to any state agency or department,
104 including any state agency financed entirely by federal and
105 special funds, appropriate office space in the buildings acquired.

106 (e) * * * To solicit and approve or disapprove,
107 notwithstanding any rule of law to the contrary, and with the
108 concurrence of the Public Procurement Review Board, any lease, use
109 or rental agreement for a charge or other consideration for space
110 not exceeding three thousand (3,000) square feet in any individual
111 building listed in subsection (a) of this section, with a private
112 entry who will provide food and/or catering services for state
113 employees, visitors and the general public.

114 The department shall select the entity using a competitive
115 process which shall be publicly advertised. In addition to
116 satisfying any other requirements for the Public Procurement
117 Review Board's approval, the department must demonstrate that any
118 agreement entered into under this section will neither result in a
119 net cost to the state, nor impair or impede the function of state
120 agencies at such location.

121 **SECTION 2.** This act shall take effect and be in force from
122 and after July 1, 2022.

