

By: Senator(s) DeLano

To: Universities and  
Colleges

SENATE BILL NO. 2408

1 AN ACT TO AMEND SECTIONS 37-101-15, 45-35-11 AND 63-1-35,  
2 MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN IDENTIFICATION CARDS  
3 AND DRIVER'S LICENSES AND PERMITS TO HAVE 988 CRISIS LIFELINE  
4 CONTACT INFORMATION; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 37-101-15, Mississippi Code of 1972, is  
7 amended as follows:

8 37-101-15. (a) The Board of Trustees of State Institutions  
9 of Higher Learning shall succeed to and continue to exercise  
10 control of all records, books, papers, equipment, and supplies,  
11 and all lands, buildings, and other real and personal property  
12 belonging to or assigned to the use and benefit of the board of  
13 trustees formerly supervising and controlling the institutions of  
14 higher learning named in Section 37-101-1. The board shall have  
15 and exercise control of the use, distribution and disbursement of  
16 all funds, appropriations and taxes, now and hereafter in  
17 possession, levied and collected, received, or appropriated for  
18 the use, benefit, support, and maintenance or capital outlay  
19 expenditures of the institutions of higher learning, including the



20 authorization of employees to sign vouchers for the disbursement  
21 of funds for the various institutions, except where otherwise  
22 specifically provided by law.

23 (b) The board shall have general supervision of the affairs  
24 of all the institutions of higher learning, including the  
25 departments and the schools thereof. The board shall have the  
26 power in its discretion to determine who shall be privileged to  
27 enter, to remain in, or to graduate therefrom. The board shall  
28 have general supervision of the conduct of libraries and  
29 laboratories, the care of dormitories, buildings, and grounds; the  
30 business methods and arrangement of accounts and records; the  
31 organization of the administrative plan of each institution; and  
32 all other matters incident to the proper functioning of the  
33 institutions. The board shall have the authority to establish  
34 minimum standards of achievement as a prerequisite for entrance  
35 into any of the institutions under its jurisdiction, which  
36 standards need not be uniform between the various institutions and  
37 which may be based upon such criteria as the board may establish.

38 (c) The board shall exercise all the powers and prerogatives  
39 conferred upon it under the laws establishing and providing for  
40 the operation of the several institutions herein specified. The  
41 board shall adopt such bylaws and regulations from time to time as  
42 it deems expedient for the proper supervision and control of the  
43 several institutions of higher learning, insofar as such bylaws  
44 and regulations are not repugnant to the Constitution and laws,



45 and not inconsistent with the object for which these institutions  
46 were established. The board shall have power and authority to  
47 prescribe rules and regulations for policing the campuses and all  
48 buildings of the respective institutions, to authorize the arrest  
49 of all persons violating on any campus any criminal law of the  
50 state, and to have such law violators turned over to the civil  
51 authorities.

52 (d) For all institutions specified herein, the board shall  
53 provide a uniform system of recording and of accounting approved  
54 by the State Department of Audit. The board shall annually  
55 prepare, or cause to be prepared, a budget for each institution of  
56 higher learning for the succeeding year which must be prepared and  
57 in readiness for at least thirty (30) days before the convening of  
58 the regular session of the Legislature. All relationships and  
59 negotiations between the State Legislature and its various  
60 committees and the institutions named herein shall be carried on  
61 through the board of trustees. No official, employee or agent  
62 representing any of the separate institutions shall appear before  
63 the Legislature or any committee thereof except upon the written  
64 order of the board or upon the request of the Legislature or a  
65 committee thereof.

66 (e) For all institutions specified herein, the board shall  
67 prepare an annual report to the Legislature setting forth the  
68 disbursements of all monies appropriated to the respective  
69 institutions. Each report to the Legislature shall show how the



70 money appropriated to the several institutions has been expended,  
71 beginning and ending with the fiscal years of the institutions,  
72 showing the name of each teacher, officer, and employee, and the  
73 salary paid each, and an itemized statement of each and every item  
74 of receipts and expenditures. Each report must be balanced, and  
75 must begin with the former balance. If any property belonging to  
76 the state or the institution is used for profit, the reports shall  
77 show the expense incurred in managing the property and the amount  
78 received therefrom. The reports shall also show a summary of the  
79 gross receipts and gross disbursements for each year and shall  
80 show the money on hand at the beginning of the fiscal period of  
81 the institution next preceding each session of the Legislature and  
82 the necessary amount of expense to be incurred from said date to  
83 January 1 following. The board shall keep the annual expenditures  
84 of each institution herein mentioned within the income derived  
85 from legislative appropriations and other sources, but in case of  
86 emergency arising from acts of providence, epidemics, fire or  
87 storm with the written approval of the Governor and by written  
88 consent of a majority of the senators and of the representatives  
89 it may exceed the income. The board shall require a surety bond  
90 in a surety company authorized to do business in this state of  
91 every employee who is the custodian of funds belonging to one or  
92 more of the institutions mentioned herein, which bond shall be in  
93 a sum to be fixed by the board in an amount that will properly



94 safeguard the said funds, the premium for which shall be paid out  
95 of the funds appropriated for said institutions.

96 (f) The board shall have the power and authority to elect  
97 the heads of the various institutions of higher learning and to  
98 contract with all deans, professors, and other members of the  
99 teaching staff, and all administrative employees of said  
100 institutions for a term not exceeding four (4) years. The board  
101 shall have the power and authority to terminate any such contract  
102 at any time for malfeasance, inefficiency, or contumacious  
103 conduct, but never for political reasons. It shall be the policy  
104 of the board to permit the executive head of each institution to  
105 nominate for election by the board all subordinate employees of  
106 the institution over which he presides. It shall be the policy of  
107 the board to elect all officials for a definite tenure of service  
108 and to reelect during the period of satisfactory service. The  
109 board shall have the power to make any adjustments it thinks  
110 necessary between the various departments and schools of any  
111 institution or between the different institutions.

112 (g) The board shall keep complete minutes and records of all  
113 proceedings which shall be open for inspection by any citizen of  
114 the state.

115 (h) The board shall have the power to enter into an energy  
116 performance contract, energy services contract, on a  
117 shared-savings, lease or lease-purchase basis, for energy



118 efficiency services and/or equipment as prescribed in Section  
119 31-7-14.

120 (i) The Board of Trustees of State Institutions of Higher  
121 Learning, for and on behalf of Jackson State University, is hereby  
122 authorized to convey by donation or otherwise easements across  
123 portions of certain real estate located in the City of Jackson,  
124 Hinds County, Mississippi, for right-of-way required for the Metro  
125 Parkway Project.

126 (j) In connection with any international contract between  
127 the board or one (1) of the state's institutions of higher  
128 learning and any party outside of the United States, the board or  
129 institution that is the party to the international contract is  
130 hereby authorized and empowered to include in the contract a  
131 provision for the resolution by arbitration of any controversy  
132 between the parties to the contract relating to such contract or  
133 the failure or refusal to perform any part of the contract. Such  
134 provision shall be valid, enforceable and irrevocable without  
135 regard to the justiciable character of the controversy. Provided,  
136 however, that in the event either party to such contract initiates  
137 litigation against the other with respect to the contract, the  
138 arbitration provision shall be deemed waived unless asserted as a  
139 defense on or before the responding party is required to answer  
140 such litigation.

141 (k) The Board of Trustees of State Institutions of Higher  
142 Learning ("board"), on behalf of any institution under its



143 jurisdiction, shall purchase and maintain business property  
144 insurance and business personal property insurance on all  
145 university-owned buildings and/or contents as required by federal  
146 law and regulations of the Federal Emergency Management Agency  
147 (FEMA) as is necessary for receiving public assistance or  
148 reimbursement for repair, reconstruction, replacement or other  
149 damage to those buildings and/or contents caused by the Hurricane  
150 Katrina Disaster of 2005 or subsequent disasters. The board is  
151 authorized to expend funds from any available source for the  
152 purpose of obtaining and maintaining that property insurance. The  
153 board is authorized to enter into agreements with the Department  
154 of Finance and Administration, local school districts,  
155 community/junior college districts, community hospitals and/or  
156 other state agencies to pool their liabilities to participate in a  
157 group business property and/or business personal property  
158 insurance program, subject to uniform rules and regulations as may  
159 be adopted by the Department of Finance and Administration.

160 (1) The Board of Trustees of State Institutions of Higher  
161 Learning, or its designee, may approve the payment or  
162 reimbursement of reasonable travel expenses incurred by candidates  
163 for open positions at the board's executive office or at any of  
164 the state institutions of higher learning, when the job candidate  
165 has incurred expenses in traveling to a job interview at the  
166 request of the board, the Commissioner of Higher Education or a  
167 state institution of higher learning administrator.



168 (m) (i) The Board of Trustees of State Institutions of  
169 Higher Learning is authorized to administer and approve contracts  
170 for the construction and maintenance of buildings and other  
171 facilities of the state institutions of higher learning, including  
172 related contracts for architectural and engineering services,  
173 which are paid for with self-generated funds.

174 (ii) Additionally, the board is authorized to oversee,  
175 administer and approve contracts for the construction and  
176 maintenance of buildings and other facilities of the state  
177 institutions of higher learning, including related contracts for  
178 architectural and engineering services, which are funded in whole  
179 or in part by general obligation bonds of the State of Mississippi  
180 at institutions designated annually by the board as being capable  
181 to procure and administer all such contracts. Prior to the  
182 disbursement of funds, an agreement for each project between the  
183 institution and the Department of Finance and Administration shall  
184 be executed. The approval and execution of the agreement shall  
185 not be withheld by either party unless the withholding party  
186 provides a written, detailed explanation of the basis for  
187 withholding to the other party. The agreement shall stipulate the  
188 responsibilities of each party, applicable procurement  
189 regulations, documentation and reporting requirements, conditions  
190 prior to, and schedule of, disbursement of general obligation bond  
191 funds to the institution and provisions concerning handling any  
192 remaining general obligation bonds at the completion of the





193 project. Such agreement shall not include provisions that  
194 constitute additional qualifications or criteria that act to  
195 invalidate the designation of an institution as capable of  
196 procuring and administering such project. Inclusion of any such  
197 provisions may be appealed to the Public Procurement Review Board.  
198 This paragraph (ii) shall stand repealed from and after July 1,  
199 2025.

200 (n) The Board of Trustees of State Institutions of Higher  
201 Learning ("board") shall require all faculty employed by and all  
202 students attending any of the state institutions of higher  
203 learning identified in Section 37-101-1 to be issued an  
204 identification badge to be worn at all times while on campus  
205 property. Any identification card issued pursuant to this  
206 section, whether physical or in an electronic format, shall  
207 include the words "Crisis Lifeline - Dial or Text 988, or chat  
208 988lifeline.org."

209 **SECTION 2.** Section 45-35-11, Mississippi Code of 1972, is  
210 amended as follows:

211 45-35-11. (1) All identification cards shall be centrally  
212 issued by the department, adequately describe the registrant, bear  
213 a color photograph of the registrant, and include other such  
214 identifying data as required by Section 45-35-5.

215 (2) All identification cards issued under the provisions of  
216 this chapter, whether physical or in an electronic format, shall



217 include the words "Crisis Lifeline - Dial or Text 988, or chat  
218 988lifeline.org."

219 **SECTION 3.** Section 63-1-35, Mississippi Code of 1972, is  
220 amended as follows:

221 63-1-35. (1) The Commissioner of Public Safety shall  
222 prescribe the form of license issued pursuant to this article  
223 which shall, among other features, include a driver's license  
224 number assigned by the Department of Public Safety. A licensee  
225 shall list his social security number with the department which  
226 shall cross reference the social security number with the driver's  
227 license number for purposes of identification. Additionally, each  
228 license shall bear a full-face color photograph of the licensee in  
229 such form that the license and the photograph cannot be separated.  
230 The photograph shall be taken so that one (1) exposure will  
231 photograph the applicant and the application simultaneously on the  
232 same film. The department shall use a process in the issuance of  
233 a license with a color photograph that shall prevent as nearly as  
234 possible any alteration, counterfeiting, duplication,  
235 reproduction, forging or modification of the license or the  
236 superimposition of a photograph without ready detection. The  
237 photograph shall be replaced by the department at the time of  
238 renewal. Drivers' licenses, including photographs appearing  
239 thereon, may be renewed by electronic means according to rules and  
240 regulations promulgated by the commissioner in conformity to  
241 Section 27-104-33.



242 (2) The commissioner shall prescribe the form of license  
243 issued pursuant to this article to licensees who are not United  
244 States citizens and who do not possess a social security number  
245 issued by the United States government. The license of such  
246 persons shall include a number and/or other identifying features.

247 (3) Any new, renewal or duplicate driver's license,  
248 temporary driving permit or commercial driver's license issued to  
249 a person required to register as a sex offender pursuant to  
250 Section 45-33-25 shall bear a designation identifying the licensee  
251 or permittee as a sex offender.

252 (4) The commissioner is authorized to provide the new,  
253 renewal or duplicate driver's license, temporary driving permit or  
254 commercial driver's license to any honorably discharged veteran as  
255 defined in Title 38 of the United States Code, and such license or  
256 permit shall exhibit the letters "Vet" or any other mark  
257 identifying the person as a veteran. The veteran requesting the  
258 "Vet" designation shall present his DD-214, Military Retiree  
259 Identification Card, United States Department of Veterans Affairs  
260 Medical Identification Card, United States Department of Veterans  
261 Affairs Identification Card or National Guard Form NGB 22. The  
262 veteran requesting the "Vet" designation may present his DD-214,  
263 Military Retiree Identification Card, United States Department of  
264 Veterans Affairs Medical Identification Card, United States  
265 Department of Veterans Affairs Identification Card or National



266 Guard Form NGB 22 in person at the Mississippi Department of  
267 Public Safety Driver's License Station.

268 (5) Not later than July 1, 2021, the commissioner shall  
269 develop and implement a driver's license or driving permit in  
270 electronic format as an additional option for license or permit  
271 holders. Acceptable electronic formats include display of  
272 electronic images on a cellular phone or any other type of  
273 electronic device.

274 (6) If false documents are provided by an individual for  
275 purposes of obtaining a veteran driver's license, such action  
276 shall be considered fraudulent use of identity under Section  
277 97-19-85, Mississippi Code of 1972, and shall be punishable, upon  
278 conviction, as a felony pursuant to the provisions of that  
279 section.

280 (7) All identification cards issued under the provisions of  
281 this chapter, whether physical or in an electronic format, shall  
282 include the words "Crisis Lifeline - Dial or Text 988, or chat  
283 988lifeline.org."

284 **SECTION 4.** This act shall take effect and be in force from  
285 and after July 1, 2024.

