

By: Senator(s) DeLano

To: Environment Prot, Cons
and Water Res;
Accountability, Efficiency,
Transparency

SENATE BILL NO. 2649
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 49-2-13, MISSISSIPPI CODE OF 1972, TO
2 ALLOW THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL
3 QUALITY TO ENTER INTO CONTRACTS FOR THE PURPOSE OF OBTAINING
4 ASSISTANCE WITH THE REVIEW, EVALUATION, AND PROCESSING OF PERMIT
5 AND CERTIFICATION APPLICATIONS; TO AMEND SECTION 27-104-7,
6 MISSISSIPPI CODE OF 1972, TO GRANT THE DEPARTMENT OF ENVIRONMENTAL
7 QUALITY AN EXCEPTION TO PROCUREMENT REVIEW PROCESSES FOR SUCH
8 CONTRACTS; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 49-2-13, Mississippi Code of 1972, is
11 amended as follows:

12 49-2-13. The executive director shall have the following
13 powers and duties:

14 (a) To administer the policies of the commission within
15 the authority granted by the commission;

16 (b) To supervise and direct all administrative and
17 technical activities of the department;

18 (c) To organize the administrative units of the
19 department in accordance with the plan adopted by the commission
20 and, with commission approval, alter such organizational plan and



21 reassign responsibilities as he may deem necessary to carry out
22 the policies of the commission;

23 (d) To coordinate the activities of the various offices
24 of the department;

25 (e) To employ, subject to the approval of the
26 commission, qualified professional personnel in the subject matter
27 or fields of each office, and such other technical and clerical
28 staff as may be required for the operation of the department;

29 (f) To recommend to the commission such studies and
30 investigations as he may deem appropriate, and to carry out the
31 approved recommendations in conjunction with the various offices;

32 (g) To merge and coordinate functions and duties where
33 possible to eliminate the possibility of two (2) separate
34 organizational entities performing the same or similar functions,
35 including, but not limited to, functions of audit, inspection,
36 collection, personnel, motor vehicles, accounting, data
37 processing, payroll and any other such administrative, procedural
38 or enforcement function;

39 (h) To coordinate all studies in the State of
40 Mississippi concerned with the supply, development, use and
41 conservation of natural resources within the jurisdiction of the
42 department;

43 (i) To prepare and deliver to the Legislature and the
44 Governor on or before January 1 of each year, and at such other
45 times as may be required by the Legislature or Governor, a full



46 report of the work of the department and the offices thereof,
47 including a detailed statement of expenditures of the department
48 and any recommendations the commission may have;

49 (j) To issue, modify or revoke any and all orders under
50 authority granted by the commission which include, but are not
51 limited to those which (i) prohibit, control or abate discharges
52 of contaminants and wastes into the air and waters of the state;
53 (ii) require the construction of new disposal systems or
54 air-cleaning devices or any parts thereof, or the modification,
55 extension or alteration of existing disposal systems or
56 air-cleaning devices or any parts thereof, or the adoption of
57 other remedial measures to prevent, control or abate air and water
58 pollution or to cause the proper management of solid wastes; (iii)
59 impose penalties pursuant to Section 17-17-29 and Section 49-17-43
60 which have been agreed upon with alleged violators; and (iv)
61 require compliance with the conditions of any permit issued by the
62 Permit Board created in Section 49-17-28 and all regulations of
63 the commission; * * *

64 (k) With the approval of the commission, to enter into
65 contracts, grants and cooperative agreements with any federal or
66 state agency or subdivision thereof, or any public or private
67 institution located inside or outside the State of Mississippi, or
68 any person, corporation or association in connection with carrying
69 out the provisions of this chapter, provided the agreements do not



70 have a financial cost in excess of the amounts appropriated for
71 such purposes by the Legislature * * *; and

72 (1) With the approval of the commission, to enter into
73 a contract(s) with any person or any public or private corporate
74 entity to assist with the review, evaluation and processing of
75 permit application(s) and/or certification application(s). Any
76 person or entity requesting additional assistance for review,
77 evaluation, and processing of an application for permit(s) or
78 certification(s) must agree to pay all additional costs associated
79 with such review, evaluation, and processing. This paragraph (1)
80 shall stand repealed on July 1, 2028.

81 **SECTION 2.** Section 27-104-7, Mississippi Code of 1972, is
82 amended as follows:

83 27-104-7. (1) (a) There is created the Public Procurement
84 Review Board, which shall be reconstituted on January 1, 2018, and
85 shall be composed of the following members:

86 (i) Three (3) individuals appointed by the
87 Governor with the advice and consent of the Senate;

88 (ii) Two (2) individuals appointed by the
89 Lieutenant Governor with the advice and consent of the Senate; and

90 (iii) The Executive Director of the Department of
91 Finance and Administration, serving as an ex officio and nonvoting
92 member.

93 (b) The initial terms of each appointee shall be as
94 follows:



95 (i) One (1) member appointed by the Governor to
96 serve for a term ending on June 30, 2019;

97 (ii) One (1) member appointed by the Governor to
98 serve for a term ending on June 30, 2020;

99 (iii) One (1) member appointed by the Governor to
100 serve for a term ending on June 30, 2021;

101 (iv) One (1) member appointed by the Lieutenant
102 Governor to serve for a term ending on June 30, 2019; and

103 (v) One (1) member appointed by the Lieutenant
104 Governor to serve for a term ending on June 30, 2020.

105 After the expiration of the initial terms, all appointed
106 members' terms shall be for a period of four (4) years from the
107 expiration date of the previous term, and until such time as the
108 member's successor is duly appointed and qualified.

109 (c) When appointing members to the Public Procurement
110 Review Board, the Governor and Lieutenant Governor shall take into
111 consideration persons who possess at least five (5) years of
112 management experience in general business, health care or finance
113 for an organization, corporation or other public or private
114 entity. Any person, or any employee or owner of a company, who
115 receives any grants, procurements or contracts that are subject to
116 approval under this section shall not be appointed to the Public
117 Procurement Review Board. Any person, or any employee or owner of
118 a company, who is a principal of the source providing a personal
119 or professional service shall not be appointed to the Public



120 Procurement Review Board if the principal owns or controls a
121 greater than five percent (5%) interest or has an ownership value
122 of One Million Dollars (\$1,000,000.00) in the source's business,
123 whichever is smaller. No member shall be an officer or employee
124 of the State of Mississippi while serving as a voting member on
125 the Public Procurement Review Board.

126 (d) Members of the Public Procurement Review Board
127 shall be entitled to per diem as authorized by Section 25-3-69 and
128 travel reimbursement as authorized by Section 25-3-41.

129 (e) The members of the Public Procurement Review Board
130 shall elect a chair from among the membership, and he or she shall
131 preside over the meetings of the board. The board shall annually
132 elect a vice chair, who shall serve in the absence of the chair.
133 No business shall be transacted, including adoption of rules of
134 procedure, without the presence of a quorum of the board. Three
135 (3) members shall be a quorum. No action shall be valid unless
136 approved by a majority of the members present and voting, entered
137 upon the minutes of the board and signed by the chair. Necessary
138 clerical and administrative support for the board shall be
139 provided by the Department of Finance and Administration. Minutes
140 shall be kept of the proceedings of each meeting, copies of which
141 shall be filed on a monthly basis with the chairs of the
142 Accountability, Efficiency and Transparency Committees of the
143 Senate and House of Representatives and the chairs of the



144 Appropriations Committees of the Senate and House of
145 Representatives.

146 (2) The Public Procurement Review Board shall have the
147 following powers and responsibilities:

148 (a) Approve all purchasing regulations governing the
149 purchase or lease by any agency, as defined in Section 31-7-1, of
150 commodities and equipment, except computer equipment acquired
151 pursuant to Sections 25-53-1 through 25-53-29;

152 (b) Adopt regulations governing the approval of
153 contracts let for the construction and maintenance of state
154 buildings and other state facilities as well as related contracts
155 for architectural and engineering services.

156 The provisions of this paragraph (b) shall not apply to such
157 contracts involving buildings and other facilities of state
158 institutions of higher learning which are self-administered as
159 provided under this paragraph (b) or Section 37-101-15(m);

160 (c) Adopt regulations governing any lease or rental
161 agreement by any state agency or department, including any state
162 agency financed entirely by federal funds, for space outside the
163 buildings under the jurisdiction of the Department of Finance and
164 Administration. These regulations shall require each agency
165 requesting to lease such space to provide the following
166 information that shall be published by the Department of Finance
167 and Administration on its website: the agency to lease the space;
168 the terms of the lease; the approximate square feet to be leased;



169 the use for the space; a description of a suitable space; the
170 general location desired for the leased space; the contact
171 information for a person from the agency; the deadline date for
172 the agency to have received a lease proposal; any other specific
173 terms or conditions of the agency; and any other information
174 deemed appropriate by the Division of Real Property Management of
175 the Department of Finance and Administration or the Public
176 Procurement Review Board. The information shall be provided
177 sufficiently in advance of the time the space is needed to allow
178 the Division of Real Property Management of the Department of
179 Finance and Administration to review and preapprove the lease
180 before the time for advertisement begins;

181 (d) Adopt, in its discretion, regulations to set aside
182 at least five percent (5%) of anticipated annual expenditures for
183 the purchase of commodities from minority businesses; however, all
184 such set-aside purchases shall comply with all purchasing
185 regulations promulgated by the department and shall be subject to
186 all bid requirements. Set-aside purchases for which competitive
187 bids are required shall be made from the lowest and best minority
188 business bidder; however, if no minority bid is available or if
189 the minority bid is more than two percent (2%) higher than the
190 lowest bid, then bids shall be accepted and awarded to the lowest
191 and best bidder. However, the provisions in this paragraph shall
192 not be construed to prohibit the rejection of a bid when only one
193 (1) bid is received. Such rejection shall be placed in the



194 minutes. For the purposes of this paragraph, the term "minority
195 business" means a business which is owned by a person who is a
196 citizen or lawful permanent resident of the United States and who
197 is:

198 (i) Black: having origins in any of the black
199 racial groups of Africa;

200 (ii) Hispanic: of Mexican, Puerto Rican, Cuban,
201 Central or South American, or other Spanish or Portuguese culture
202 or origin regardless of race;

203 (iii) Asian-American: having origins in any of
204 the original people of the Far East, Southeast Asia, the Indian
205 subcontinent, or the Pacific Islands;

206 (iv) American Indian or Alaskan Native: having
207 origins in any of the original people of North America; or

208 (v) Female;

209 (e) In consultation with and approval by the Chairs of
210 the Senate and House Public Property Committees, approve leases,
211 for a term not to exceed eighteen (18) months, entered into by
212 state agencies for the purpose of providing parking arrangements
213 for state employees who work in the Woolfolk Building, the Carroll
214 Gartin Justice Building or the Walter Sillers Office Building;

215 (f) (i) Except as otherwise provided in subparagraph
216 (ii) of this paragraph, promulgate rules and regulations governing
217 the solicitation and selection of contractual services personnel,
218 including personal and professional services contracts for any



219 form of consulting, policy analysis, public relations, marketing,
220 public affairs, legislative advocacy services or any other
221 contract that the board deems appropriate for oversight, with the
222 exception of:

223 1. Any personal service contracts entered
224 into by any agency that employs only nonstate service employees as
225 defined in Section 25-9-107(c);

226 2. Any personal service contracts entered
227 into for computer or information technology-related services
228 governed by the Mississippi Department of Information Technology
229 Services;

230 3. Any personal service contracts entered
231 into by the individual state institutions of higher learning;

232 4. Any personal service contracts entered
233 into by the Mississippi Department of Transportation;

234 5. Any personal service contracts entered
235 into by the Department of Human Services through June 30, 2019,
236 which the Executive Director of the Department of Human Services
237 determines would be useful in establishing and operating the
238 Department of Child Protection Services;

239 6. Any personal service contracts entered
240 into by the Department of Child Protection Services through June
241 30, 2019;



242 7. Any contracts for entertainers and/or
243 performers at the Mississippi State Fairgrounds entered into by
244 the Mississippi Fair Commission;

245 8. Any contracts entered into by the
246 Department of Finance and Administration when procuring aircraft
247 maintenance, parts, equipment and/or services;

248 9. Any contract entered into by the
249 Department of Public Safety for service on specialized equipment
250 and/or software required for the operation of such specialized
251 equipment for use by the Office of Forensics Laboratories;

252 10. Any personal or professional service
253 contract entered into by the Mississippi Department of Health or
254 the Department of Revenue solely in connection with their
255 respective responsibilities under the Mississippi Medical Cannabis
256 Act from February 2, 2022, through June 30, 2026;

257 11. Any contract for attorney, accountant,
258 actuary auditor, architect, engineer, anatomical pathologist, or
259 utility rate expert services;

260 12. Any personal service contracts approved
261 by the Executive Director of the Department of Finance and
262 Administration and entered into by the Coordinator of Mental
263 Health Accessibility through June 30, 2022;

264 13. Any personal or professional services
265 contract entered into by the State Department of Health in
266 carrying out its responsibilities under the ARPA Rural Water



267 Associations Infrastructure Grant Program through June 30,
268 2026; * * *

269 14. And any personal or professional services
270 contract entered into by the Mississippi Department of
271 Environmental Quality in carrying out its responsibilities under
272 the Mississippi Municipality and County Water Infrastructure Grant
273 Program Act of 2022, through June 30, 2026 * * *; and

274 15. Any personal or professional services
275 contract entered into by the Mississippi Department of
276 Environmental Quality in carrying out its responsibilities under
277 Section 49-2-13(1). This item 15 shall stand repealed on July 1,
278 2028.

279 Any such rules and regulations shall provide for maintaining
280 continuous internal audit covering the activities of such agency
281 affecting its revenue and expenditures as required under Section
282 7-7-3(6) (d). Any rules and regulation changes related to personal
283 and professional services contracts that the Public Procurement
284 Review Board may propose shall be submitted to the Chairs of the
285 Accountability, Efficiency and Transparency Committees of the
286 Senate and House of Representatives and the Chairs of the
287 Appropriation Committees of the Senate and House of
288 Representatives at least fifteen (15) days before the board votes
289 on the proposed changes, and those rules and regulation changes,
290 if adopted, shall be promulgated in accordance with the
291 Mississippi Administrative Procedures Act.



292 (ii) From and after July 1, 2024, the Public
293 Procurement Review Board shall promulgate rules and regulations
294 that require the Department of Finance and Administration to
295 conduct personal and professional services solicitations as
296 provided in subparagraph (i) of this paragraph for those services
297 in excess of Seventy-five Thousand Dollars (\$75,000.00) for the
298 Department of Marine Resources, the Department of Wildlife,
299 Fisheries and Parks, the Mississippi Emergency Management Agency
300 and the Mississippi Development Authority, with assistance to be
301 provided from these entities. Any powers that have been conferred
302 upon agencies in order to comply with the provisions of this
303 section for personal and professional services solicitations shall
304 be conferred upon the Department of Finance and Administration to
305 conduct personal and professional services solicitations for the
306 Department of Marine Resources, the Department of Wildlife,
307 Fisheries and Parks, the Mississippi Emergency Management Agency
308 and the Mississippi Development Authority for those services in
309 excess of Seventy-five Thousand Dollars (\$75,000.00). The
310 Department of Finance and Administration shall make any
311 submissions that are required to be made by other agencies to the
312 Public Procurement Review Board for the Department of Marine
313 Resources, the Department of Wildlife, Fisheries and Parks, the
314 Mississippi Emergency Management Agency and the Mississippi
315 Development Authority.



316 The provisions of this subparagraph (ii) shall stand repealed
317 on June 30, 2027;

318 (g) Approve all personal and professional services
319 contracts involving the expenditures of funds in excess of
320 Seventy-five Thousand Dollars (\$75,000.00), except as provided in
321 paragraph (f) of this subsection (2) and in subsection (8);

322 (h) Develop mandatory standards with respect to
323 contractual services personnel that require invitations for public
324 bid, requests for proposals, record keeping and financial
325 responsibility of contractors. The Public Procurement Review
326 Board shall, unless exempted under this paragraph (h) or under
327 paragraph (i) or (o) of this subsection (2), require the agency
328 involved to submit the procurement to a competitive procurement
329 process, and may reserve the right to reject any or all resulting
330 procurements;

331 (i) Prescribe certain circumstances by which agency
332 heads may enter into contracts for personal and professional
333 services without receiving prior approval from the Public
334 Procurement Review Board. The Public Procurement Review Board may
335 establish a preapproved list of providers of various personal and
336 professional services for set prices with which state agencies may
337 contract without bidding or prior approval from the board;

338 (i) Agency requirements may be fulfilled by
339 procuring services performed incident to the state's own programs.
340 The agency head shall determine in writing whether the price



341 represents a fair market value for the services. When the
342 procurements are made from other governmental entities, the
343 private sector need not be solicited; however, these contracts
344 shall still be submitted for approval to the Public Procurement
345 Review Board.

346 (ii) Contracts between two (2) state agencies,
347 both under Public Procurement Review Board purview, shall not
348 require Public Procurement Review Board approval. However, the
349 contracts shall still be entered into the enterprise resource
350 planning system;

351 (j) Provide standards for the issuance of requests for
352 proposals, the evaluation of proposals received, consideration of
353 costs and quality of services proposed, contract negotiations, the
354 administrative monitoring of contract performance by the agency
355 and successful steps in terminating a contract;

356 (k) Present recommendations for governmental
357 privatization and to evaluate privatization proposals submitted by
358 any state agency;

359 (l) Authorize personal and professional service
360 contracts to be effective for more than one (1) year provided a
361 funding condition is included in any such multiple year contract,
362 except the State Board of Education, which shall have the
363 authority to enter into contractual agreements for student
364 assessment for a period up to ten (10) years. The State Board of



365 Education shall procure these services in accordance with the
366 Public Procurement Review Board procurement regulations;

367 (m) Request the State Auditor to conduct a performance
368 audit on any personal or professional service contract;

369 (n) Prepare an annual report to the Legislature
370 concerning the issuance of personal and professional services
371 contracts during the previous year, collecting any necessary
372 information from state agencies in making such report;

373 (o) Develop and implement the following standards and
374 procedures for the approval of any sole source contract for
375 personal and professional services regardless of the value of the
376 procurement:

377 (i) For the purposes of this paragraph (o), the
378 term "sole source" means only one (1) source is available that can
379 provide the required personal or professional service.

380 (ii) An agency that has been issued a binding,
381 valid court order mandating that a particular source or provider
382 must be used for the required service must include a copy of the
383 applicable court order in all future sole source contract reviews
384 for the particular personal or professional service referenced in
385 the court order.

386 (iii) Any agency alleging to have a sole source
387 for any personal or professional service, other than those
388 exempted under paragraph (f) of this subsection (2) and subsection
389 (8), shall publish on the procurement portal website established



390 by Sections 25-53-151 and 27-104-165, for at least fourteen (14)
391 days, the terms of the proposed contract for those services. In
392 addition, the publication shall include, but is not limited to,
393 the following information:

394 1. The personal or professional service
395 offered in the contract;

396 2. An explanation of why the personal or
397 professional service is the only one that can meet the needs of
398 the agency;

399 3. An explanation of why the source is the
400 only person or entity that can provide the required personal or
401 professional service;

402 4. An explanation of why the amount to be
403 expended for the personal or professional service is reasonable;
404 and

405 5. The efforts that the agency went through
406 to obtain the best possible price for the personal or professional
407 service.

408 (iv) If any person or entity objects and proposes
409 that the personal or professional service published under
410 subparagraph (iii) of this paragraph (o) is not a sole source
411 service and can be provided by another person or entity, then the
412 objecting person or entity shall notify the Public Procurement
413 Review Board and the agency that published the proposed sole



414 source contract with a detailed explanation of why the personal or
415 professional service is not a sole source service.

416 (v) 1. If the agency determines after review that
417 the personal or professional service in the proposed sole source
418 contract can be provided by another person or entity, then the
419 agency must withdraw the sole source contract publication from the
420 procurement portal website and submit the procurement of the
421 personal or professional service to an advertised competitive bid
422 or selection process.

423 2. If the agency determines after review that
424 there is only one (1) source for the required personal or
425 professional service, then the agency may appeal to the Public
426 Procurement Review Board. The agency has the burden of proving
427 that the personal or professional service is only provided by one
428 (1) source.

429 3. If the Public Procurement Review Board has
430 any reasonable doubt as to whether the personal or professional
431 service can only be provided by one (1) source, then the agency
432 must submit the procurement of the personal or professional
433 service to an advertised competitive bid or selection process. No
434 action taken by the Public Procurement Review Board in this appeal
435 process shall be valid unless approved by a majority of the
436 members of the Public Procurement Review Board present and voting.

437 (vi) The Public Procurement Review Board shall
438 prepare and submit a quarterly report to the House of



439 Representatives and Senate Accountability, Efficiency and
440 Transparency Committees that details the sole source contracts
441 presented to the Public Procurement Review Board and the reasons
442 that the Public Procurement Review Board approved or rejected each
443 contract. These quarterly reports shall also include the
444 documentation and memoranda required in subsection (4) of this
445 section. An agency that submitted a sole source contract shall be
446 prepared to explain the sole source contract to each committee by
447 December 15 of each year upon request by the committee;

448 (p) Assess any fines and administrative penalties
449 provided for in Sections 31-7-401 through 31-7-423.

450 (3) All submissions shall be made sufficiently in advance of
451 each monthly meeting of the Public Procurement Review Board as
452 prescribed by the Public Procurement Review Board. If the Public
453 Procurement Review Board rejects any contract submitted for review
454 or approval, the Public Procurement Review Board shall clearly set
455 out the reasons for its action, including, but not limited to, the
456 policy that the agency has violated in its submitted contract and
457 any corrective actions that the agency may take to amend the
458 contract to comply with the rules and regulations of the Public
459 Procurement Review Board.

460 (4) All sole source contracts for personal and professional
461 services awarded by state agencies, other than those exempted
462 under Section 27-104-7(2)(f) and (8), whether approved by an
463 agency head or the Public Procurement Review Board, shall contain



464 in the procurement file a written determination for the approval,
465 using a request form furnished by the Public Procurement Review
466 Board. The written determination shall document the basis for the
467 determination, including any market analysis conducted in order to
468 ensure that the service required was practicably available from
469 only one (1) source. A memorandum shall accompany the request
470 form and address the following four (4) points:

471 (a) Explanation of why this service is the only service
472 that can meet the needs of the purchasing agency;

473 (b) Explanation of why this vendor is the only
474 practicably available source from which to obtain this service;

475 (c) Explanation of why the price is considered
476 reasonable; and

477 (d) Description of the efforts that were made to
478 conduct a noncompetitive negotiation to get the best possible
479 price for the taxpayers.

480 (5) In conjunction with the State Personnel Board, the
481 Public Procurement Review Board shall develop and promulgate rules
482 and regulations to define the allowable legal relationship between
483 contract employees and the contracting departments, agencies and
484 institutions of state government under the jurisdiction of the
485 State Personnel Board, in compliance with the applicable rules and
486 regulations of the federal Internal Revenue Service (IRS) for
487 federal employment tax purposes. Under these regulations, the
488 usual common law rules are applicable to determine and require



489 that such worker is an independent contractor and not an employee,
490 requiring evidence of lawful behavioral control, lawful financial
491 control and lawful relationship of the parties. Any state
492 department, agency or institution shall only be authorized to
493 contract for personnel services in compliance with those
494 regulations.

495 (6) No member of the Public Procurement Review Board shall
496 use his or her official authority or influence to coerce, by
497 threat of discharge from employment, or otherwise, the purchase of
498 commodities, the contracting for personal or professional
499 services, or the contracting for public construction under this
500 chapter.

501 (7) Notwithstanding any other laws or rules to the contrary,
502 the provisions of subsection (2) of this section shall not be
503 applicable to the Mississippi State Port Authority at Gulfport.

504 (8) Nothing in this section shall impair or limit the
505 authority of the Board of Trustees of the Public Employees'
506 Retirement System to enter into any personal or professional
507 services contracts directly related to their constitutional
508 obligation to manage the trust funds, including, but not limited
509 to, actuarial, custodial banks, cash management, investment
510 consultant and investment management contracts. Nothing in this
511 section shall impair or limit the authority of the State Treasurer
512 to enter into any personal or professional services contracts
513 involving the management of trust funds, including, but not



514 limited to, actuarial, custodial banks, cash management,
515 investment consultant and investment management contracts.

516 (9) Through December 31, 2024, the provisions of this
517 section related to rental agreements or leasing of real property
518 for the purpose of conducting agency business shall not apply to
519 the Office of Workforce Development created in Section 37-153-7.

520 **SECTION 3.** This act shall take effect and be in force from
521 and after July 1, 2024.

