

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 2649**

**BY: Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

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. The executive  
80 director shall submit an annual report on the following to the  
81 Chairs of the House and Senate Accountability, Efficiency and  
82 Transparency Committees:

83 (i) The backlog of permit applications and/or  
84 certification applications that exist on July 1, 2024;

85 (ii) The backlog of permit applications and/or  
86 certification applications that exist when the report is  
87 submitted;

88 (iii) The average price of permits and/or  
89 certifications that are being expedited;

90 (iv) The types of permits and/or certifications  
91 that are being expedited;

92 (v) What persons or public or private corporate  
93 entities are being used to assist with the review, evaluation and



94 processing of permit applications and/or certification  
95 applications;

96 (vi) How much the persons or public or private  
97 corporate entities have been paid through the program; and

98 (vii) How many people leave the department for  
99 employment with the persons or public or private corporate  
100 entities that are being used to assist with the review, evaluation  
101 and processing of permit applications and/or certification  
102 applications.

103 This paragraph (1) shall stand repealed on July 1, 2028.

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

106 27-104-7. (1) (a) There is created the Public Procurement  
107 Review Board, which shall be reconstituted on January 1, 2018, and  
108 shall be composed of the following members:

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

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

113 (iii) The Executive Director of the Department of  
114 Finance and Administration, serving as an ex officio and nonvoting  
115 member.

116 (b) The initial terms of each appointee shall be as  
117 follows:



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

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

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

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

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

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

132 (c) When appointing members to the Public Procurement  
133 Review Board, the Governor and Lieutenant Governor shall take into  
134 consideration persons who possess at least five (5) years of  
135 management experience in general business, health care or finance  
136 for an organization, corporation or other public or private  
137 entity. Any person, or any employee or owner of a company, who  
138 receives any grants, procurements or contracts that are subject to  
139 approval under this section shall not be appointed to the Public  
140 Procurement Review Board. Any person, or any employee or owner of  
141 a company, who is a principal of the source providing a personal  
142 or professional service shall not be appointed to the Public



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

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

152 (e) The members of the Public Procurement Review Board  
153 shall elect a chair from among the membership, and he or she shall  
154 preside over the meetings of the board. The board shall annually  
155 elect a vice chair, who shall serve in the absence of the chair.  
156 No business shall be transacted, including adoption of rules of  
157 procedure, without the presence of a quorum of the board. Three  
158 (3) members shall be a quorum. No action shall be valid unless  
159 approved by a majority of the members present and voting, entered  
160 upon the minutes of the board and signed by the chair. Necessary  
161 clerical and administrative support for the board shall be  
162 provided by the Department of Finance and Administration. Minutes  
163 shall be kept of the proceedings of each meeting, copies of which  
164 shall be filed on a monthly basis with the chairs of the  
165 Accountability, Efficiency and Transparency Committees of the  
166 Senate and House of Representatives and the chairs of the



167 Appropriations Committees of the Senate and House of  
168 Representatives.

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

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

175 (b) Adopt regulations governing the approval of  
176 contracts let for the construction and maintenance of state  
177 buildings and other state facilities as well as related contracts  
178 for architectural and engineering services.

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

183 (c) Adopt regulations governing any lease or rental  
184 agreement by any state agency or department, including any state  
185 agency financed entirely by federal funds, for space outside the  
186 buildings under the jurisdiction of the Department of Finance and  
187 Administration. These regulations shall require each agency  
188 requesting to lease such space to provide the following  
189 information that shall be published by the Department of Finance  
190 and Administration on its website: the agency to lease the space;  
191 the terms of the lease; the approximate square feet to be leased;





192 the use for the space; a description of a suitable space; the  
193 general location desired for the leased space; the contact  
194 information for a person from the agency; the deadline date for  
195 the agency to have received a lease proposal; any other specific  
196 terms or conditions of the agency; and any other information  
197 deemed appropriate by the Division of Real Property Management of  
198 the Department of Finance and Administration or the Public  
199 Procurement Review Board. The information shall be provided  
200 sufficiently in advance of the time the space is needed to allow  
201 the Division of Real Property Management of the Department of  
202 Finance and Administration to review and preapprove the lease  
203 before the time for advertisement begins;

204 (d) Adopt, in its discretion, regulations to set aside  
205 at least five percent (5%) of anticipated annual expenditures for  
206 the purchase of commodities from minority businesses; however, all  
207 such set-aside purchases shall comply with all purchasing  
208 regulations promulgated by the department and shall be subject to  
209 all bid requirements. Set-aside purchases for which competitive  
210 bids are required shall be made from the lowest and best minority  
211 business bidder; however, if no minority bid is available or if  
212 the minority bid is more than two percent (2%) higher than the  
213 lowest bid, then bids shall be accepted and awarded to the lowest  
214 and best bidder. However, the provisions in this paragraph shall  
215 not be construed to prohibit the rejection of a bid when only one  
216 (1) bid is received. Such rejection shall be placed in the



217 minutes. For the purposes of this paragraph, the term "minority  
218 business" means a business which is owned by a person who is a  
219 citizen or lawful permanent resident of the United States and who  
220 is:

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

223 (ii) Hispanic: of Mexican, Puerto Rican, Cuban,  
224 Central or South American, or other Spanish or Portuguese culture  
225 or origin regardless of race;

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

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

231 (v) Female;

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

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



242 form of consulting, policy analysis, public relations, marketing,  
243 public affairs, legislative advocacy services or any other  
244 contract that the board deems appropriate for oversight, with the  
245 exception of:

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

249                   2. Any personal service contracts entered  
250 into for computer or information technology-related services  
251 governed by the Mississippi Department of Information Technology  
252 Services;

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

255                   4. Any personal service contracts entered  
256 into by the Mississippi Department of Transportation;

257                   5. Any personal service contracts entered  
258 into by the Department of Human Services through June 30, 2019,  
259 which the Executive Director of the Department of Human Services  
260 determines would be useful in establishing and operating the  
261 Department of Child Protection Services;

262                   6. Any personal service contracts entered  
263 into by the Department of Child Protection Services through June  
264 30, 2019;



265                   7. Any contracts for entertainers and/or  
266 performers at the Mississippi State Fairgrounds entered into by  
267 the Mississippi Fair Commission;

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

271                   9. Any contract entered into by the  
272 Department of Public Safety for service on specialized equipment  
273 and/or software required for the operation of such specialized  
274 equipment for use by the Office of Forensics Laboratories;

275                   10. Any personal or professional service  
276 contract entered into by the Mississippi Department of Health or  
277 the Department of Revenue solely in connection with their  
278 respective responsibilities under the Mississippi Medical Cannabis  
279 Act from February 2, 2022, through June 30, 2026;

280                   11. Any contract for attorney, accountant,  
281 actuary auditor, architect, engineer, anatomical pathologist, or  
282 utility rate expert services;

283                   12. Any personal service contracts approved  
284 by the Executive Director of the Department of Finance and  
285 Administration and entered into by the Coordinator of Mental  
286 Health Accessibility through June 30, 2022;

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



290 Associations Infrastructure Grant Program through June 30,  
291 2026; \* \* \*

292 14. And any personal or professional services  
293 contract entered into by the Mississippi Department of  
294 Environmental Quality in carrying out its responsibilities under  
295 the Mississippi Municipality and County Water Infrastructure Grant  
296 Program Act of 2022, through June 30, 2026 \* \* \*; and

297 15. Any personal or professional services  
298 contract entered into by the Mississippi Department of  
299 Environmental Quality in carrying out its responsibilities under  
300 Section 49-2-13(1). This item 15 shall stand repealed on July 1,  
301 2028.

302 Any such rules and regulations shall provide for maintaining  
303 continuous internal audit covering the activities of such agency  
304 affecting its revenue and expenditures as required under Section  
305 7-7-3(6) (d). Any rules and regulation changes related to personal  
306 and professional services contracts that the Public Procurement  
307 Review Board may propose shall be submitted to the Chairs of the  
308 Accountability, Efficiency and Transparency Committees of the  
309 Senate and House of Representatives and the Chairs of the  
310 Appropriation Committees of the Senate and House of  
311 Representatives at least fifteen (15) days before the board votes  
312 on the proposed changes, and those rules and regulation changes,  
313 if adopted, shall be promulgated in accordance with the  
314 Mississippi Administrative Procedures Act.



315 (ii) From and after July 1, 2024, the Public  
316 Procurement Review Board shall promulgate rules and regulations  
317 that require the Department of Finance and Administration to  
318 conduct personal and professional services solicitations as  
319 provided in subparagraph (i) of this paragraph for those services  
320 in excess of Seventy-five Thousand Dollars (\$75,000.00) for the  
321 Department of Marine Resources, the Department of Wildlife,  
322 Fisheries and Parks, the Mississippi Emergency Management Agency  
323 and the Mississippi Development Authority, with assistance to be  
324 provided from these entities. Any powers that have been conferred  
325 upon agencies in order to comply with the provisions of this  
326 section for personal and professional services solicitations shall  
327 be conferred upon the Department of Finance and Administration to  
328 conduct personal and professional services solicitations for the  
329 Department of Marine Resources, the Department of Wildlife,  
330 Fisheries and Parks, the Mississippi Emergency Management Agency  
331 and the Mississippi Development Authority for those services in  
332 excess of Seventy-five Thousand Dollars (\$75,000.00). The  
333 Department of Finance and Administration shall make any  
334 submissions that are required to be made by other agencies to the  
335 Public Procurement Review Board for the Department of Marine  
336 Resources, the Department of Wildlife, Fisheries and Parks, the  
337 Mississippi Emergency Management Agency and the Mississippi  
338 Development Authority.



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

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

345           (h) Develop mandatory standards with respect to  
346 contractual services personnel that require invitations for public  
347 bid, requests for proposals, record keeping and financial  
348 responsibility of contractors. The Public Procurement Review  
349 Board shall, unless exempted under this paragraph (h) or under  
350 paragraph (i) or (o) of this subsection (2), require the agency  
351 involved to submit the procurement to a competitive procurement  
352 process, and may reserve the right to reject any or all resulting  
353 procurements;

354           (i) Prescribe certain circumstances by which agency  
355 heads may enter into contracts for personal and professional  
356 services without receiving prior approval from the Public  
357 Procurement Review Board. The Public Procurement Review Board may  
358 establish a preapproved list of providers of various personal and  
359 professional services for set prices with which state agencies may  
360 contract without bidding or prior approval from the board;

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



364 represents a fair market value for the services. When the  
365 procurements are made from other governmental entities, the  
366 private sector need not be solicited; however, these contracts  
367 shall still be submitted for approval to the Public Procurement  
368 Review Board.

369 (ii) Contracts between two (2) state agencies,  
370 both under Public Procurement Review Board purview, shall not  
371 require Public Procurement Review Board approval. However, the  
372 contracts shall still be entered into the enterprise resource  
373 planning system;

374 (j) Provide standards for the issuance of requests for  
375 proposals, the evaluation of proposals received, consideration of  
376 costs and quality of services proposed, contract negotiations, the  
377 administrative monitoring of contract performance by the agency  
378 and successful steps in terminating a contract;

379 (k) Present recommendations for governmental  
380 privatization and to evaluate privatization proposals submitted by  
381 any state agency;

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





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

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

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

396 (o) Develop and implement the following standards and  
397 procedures for the approval of any sole source contract for  
398 personal and professional services regardless of the value of the  
399 procurement:

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

403 (ii) An agency that has been issued a binding,  
404 valid court order mandating that a particular source or provider  
405 must be used for the required service must include a copy of the  
406 applicable court order in all future sole source contract reviews  
407 for the particular personal or professional service referenced in  
408 the court order.

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



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

417                   1. The personal or professional service  
418 offered in the contract;

419                   2. An explanation of why the personal or  
420 professional service is the only one that can meet the needs of  
421 the agency;

422                   3. An explanation of why the source is the  
423 only person or entity that can provide the required personal or  
424 professional service;

425                   4. An explanation of why the amount to be  
426 expended for the personal or professional service is reasonable;  
427 and

428                   5. The efforts that the agency went through  
429 to obtain the best possible price for the personal or professional  
430 service.

431                   (iv) If any person or entity objects and proposes  
432 that the personal or professional service published under  
433 subparagraph (iii) of this paragraph (o) is not a sole source  
434 service and can be provided by another person or entity, then the  
435 objecting person or entity shall notify the Public Procurement  
436 Review Board and the agency that published the proposed sole



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

439 (v) 1. If the agency determines after review that  
440 the personal or professional service in the proposed sole source  
441 contract can be provided by another person or entity, then the  
442 agency must withdraw the sole source contract publication from the  
443 procurement portal website and submit the procurement of the  
444 personal or professional service to an advertised competitive bid  
445 or selection process.

446 2. If the agency determines after review that  
447 there is only one (1) source for the required personal or  
448 professional service, then the agency may appeal to the Public  
449 Procurement Review Board. The agency has the burden of proving  
450 that the personal or professional service is only provided by one  
451 (1) source.

452 3. If the Public Procurement Review Board has  
453 any reasonable doubt as to whether the personal or professional  
454 service can only be provided by one (1) source, then the agency  
455 must submit the procurement of the personal or professional  
456 service to an advertised competitive bid or selection process. No  
457 action taken by the Public Procurement Review Board in this appeal  
458 process shall be valid unless approved by a majority of the  
459 members of the Public Procurement Review Board present and voting.

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



462 Representatives and Senate Accountability, Efficiency and  
463 Transparency Committees that details the sole source contracts  
464 presented to the Public Procurement Review Board and the reasons  
465 that the Public Procurement Review Board approved or rejected each  
466 contract. These quarterly reports shall also include the  
467 documentation and memoranda required in subsection (4) of this  
468 section. An agency that submitted a sole source contract shall be  
469 prepared to explain the sole source contract to each committee by  
470 December 15 of each year upon request by the committee;

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

473 (3) All submissions shall be made sufficiently in advance of  
474 each monthly meeting of the Public Procurement Review Board as  
475 prescribed by the Public Procurement Review Board. If the Public  
476 Procurement Review Board rejects any contract submitted for review  
477 or approval, the Public Procurement Review Board shall clearly set  
478 out the reasons for its action, including, but not limited to, the  
479 policy that the agency has violated in its submitted contract and  
480 any corrective actions that the agency may take to amend the  
481 contract to comply with the rules and regulations of the Public  
482 Procurement Review Board.

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



487 in the procurement file a written determination for the approval,  
488 using a request form furnished by the Public Procurement Review  
489 Board. The written determination shall document the basis for the  
490 determination, including any market analysis conducted in order to  
491 ensure that the service required was practicably available from  
492 only one (1) source. A memorandum shall accompany the request  
493 form and address the following four (4) points:

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

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

498 (c) Explanation of why the price is considered  
499 reasonable; and

500 (d) Description of the efforts that were made to  
501 conduct a noncompetitive negotiation to get the best possible  
502 price for the taxpayers.

503 (5) In conjunction with the State Personnel Board, the  
504 Public Procurement Review Board shall develop and promulgate rules  
505 and regulations to define the allowable legal relationship between  
506 contract employees and the contracting departments, agencies and  
507 institutions of state government under the jurisdiction of the  
508 State Personnel Board, in compliance with the applicable rules and  
509 regulations of the federal Internal Revenue Service (IRS) for  
510 federal employment tax purposes. Under these regulations, the  
511 usual common law rules are applicable to determine and require



512 that such worker is an independent contractor and not an employee,  
513 requiring evidence of lawful behavioral control, lawful financial  
514 control and lawful relationship of the parties. Any state  
515 department, agency or institution shall only be authorized to  
516 contract for personnel services in compliance with those  
517 regulations.

518 (6) No member of the Public Procurement Review Board shall  
519 use his or her official authority or influence to coerce, by  
520 threat of discharge from employment, or otherwise, the purchase of  
521 commodities, the contracting for personal or professional  
522 services, or the contracting for public construction under this  
523 chapter.

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

527 (8) Nothing in this section shall impair or limit the  
528 authority of the Board of Trustees of the Public Employees'  
529 Retirement System to enter into any personal or professional  
530 services contracts directly related to their constitutional  
531 obligation to manage the trust funds, including, but not limited  
532 to, actuarial, custodial banks, cash management, investment  
533 consultant and investment management contracts. Nothing in this  
534 section shall impair or limit the authority of the State Treasurer  
535 to enter into any personal or professional services contracts  
536 involving the management of trust funds, including, but not



537 limited to, actuarial, custodial banks, cash management,  
538 investment consultant and investment management contracts.

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

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

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

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.

