

**Adopted
AMENDMENT NO 1 PROPOSED TO**

Cmte Sub for Senate Bill No. 2291

BY: Senator(s) Blount

1 **AMEND by deleting SECTION 1 in its entirety and inserting the**
2 **following in lieu thereof:**

3 **SECTION 1.** The following provision shall be codified as
4 Section 29-5-2.2, Mississippi Code of 1972:

5 29-5-2.2. (1) In enacting this section, it is the intent of
6 the Legislature that:

7 (a) The Bureau of Building, Grounds and Real Property
8 Management of the Department of Finance and Administration
9 (bureau) regulate and supervise the process of acquiring and
10 granting leasehold interests in office space for state agencies;

11 (b) State agencies be housed, whenever possible, in
12 state-owned buildings if office space is available; and



13 (c) If such office space is unavailable, state agencies
14 be housed in the most efficient and cost-effective means possible
15 in privately owned buildings.

16 (2) This section applies to all state agencies as defined in
17 Section 31-7-1, including occupational licensure boards and
18 excepting the military department, universities and community
19 colleges. After January 1, 2026, any state agency shall:

20 (a) Obtain the bureau's approval before entering,
21 renewing, or otherwise negotiating an agreement to lease,
22 lease-purchase, or purchase a building for office space, from or
23 to any individual or entity; and

24 (b) Upon the bureau's decision and consistent with
25 subsection (4), any state agency shall execute and enter an
26 agreement to lease office space in available state-owned
27 buildings. The leases may be upon such conditions, for such
28 terms, for such rentals and may contain any other provisions as
29 determined by the bureau and the state agency involved to be
30 appropriate and in the best interests of all concerned.

31 (3) In addition to the duties conferred under Section
32 29-5-2, the bureau shall have the following powers and duties:

33 (a) To conduct all lease solicitations on behalf of all
34 state agencies for office space outside the buildings under the
35 jurisdiction of the Department of Finance and Administration;

36 (b) Upon the effective date of this act, to confirm the
37 needs of any state agency requesting office space, identify



38 appropriate locations for such office space, negotiate the lease,
39 lease-purchase or purchase on the agency's behalf subject to
40 appropriation, and maintain records of all such leases;

41 (c) To solicit and approve a master lease of privately
42 owned buildings or parking facilities, or portions thereof, for
43 the purpose of co-locating and sub-leasing such space to state
44 agencies or departments. Charges for such sub-leases shall be
45 established by the Department to cover master lease costs as well
46 as all direct expenses required for the administration, operation,
47 and maintenance of such master leased buildings and shall be
48 considered pass-through costs and not rent for the purposes of
49 Section 27-104-203;

50 (d) To adopt standards for the use and allocation of
51 office space to state agencies. At a minimum, these standards
52 shall provide specifications related to a state agency's workrooms
53 or stations, private offices, conference rooms, reception areas,
54 equipment rooms, vaults, storage areas, warehouses, support office
55 spaces, and the necessary office space to ensure adequate and
56 effective circulation within and access to all state agencies,
57 including parking and traffic patterns;

58 (e) To identify opportunities for cost efficiencies by
59 recommending the consolidation of more than one (1) state agency's
60 office space within one (1) building if the bureau determines that
61 such consolidation will result in lower rental costs for such
62 agencies. In such cases of consolidation and co-location, the



63 Department of Finance and Administration may require agencies to
64 share administrative and support staff and/or common spaces,
65 including, but not limited to, conference rooms, break areas, and
66 bathrooms; and

67 (f) To adopt a standard lease form to be used for
68 leases of office space, buildings, structures, parking lots or
69 grounds by state agencies from private individuals or entities.
70 The standard lease form shall contain (i) all terms and conditions
71 deemed necessary based on the type and purpose of the leased
72 property; (ii) such terms and conditions that are as uniform as
73 possible; and (iii) a lease term that expires on March 31, June
74 30, September 30 or December 31.

75 (4) All solicitations for space in privately-owned buildings
76 for statewide offices may be restricted to include only properties
77 within the Capitol Complex Improvement District as originally
78 created in Section 2 of House Bill No. 1226, 2017 Regular Session,
79 and in all cases must allow consideration of such properties
80 unless the agency or department requires an alternate location to
81 effectively service its clients and/or interact with other
82 agencies, departments or stakeholders located outside of the
83 original Capitol Complex Improvement District boundaries. Where
84 such solicitations include both properties within and outside of
85 the original Capitol Complex District boundaries, award shall be
86 made to the lowest and best proposal within the original Capitol
87 Complex District boundaries unless such award would increase the



88 agency's or department's current rental costs, excluding moving
89 expenses.

90 (5) Any state agency shall submit a written request for
91 leased office space to the bureau one hundred eighty (180) days
92 before the date the office space is needed. The agency's request
93 shall list the following:

94 (a) Any information required from the agency under
95 Section 27-104-7(c);

96 (b) Anticipated moving expenses;

97 (c) Positions to occupy the office space and the
98 functions of each position by state employment grade;

99 (d) Special requirements and the function of those
100 requirements; and

101 (e) Any other information that will affect the planning
102 of the office space needs and the agency's efficient operation.

103 (6) The bureau shall use a Request for Lease Proposal (RLP)
104 selection process when an agency requests to lease office space in
105 a privately owned building when state-owned office space is not
106 available. The bureau shall advertise such leasing needs through
107 its website in accordance with Section 27-104-7 and shall provide
108 RFP packages to any property owners or managers interested in
109 submitting a proposal.

110 (7) If the agency requests the lease document proposed by
111 the bureau to be reconsidered, the agency shall have an
112 opportunity to appear before the Public Procurement Review Board



113 at the next regular meeting to explain its objections and any
114 requested modification. After hearing from the agency, the board
115 may modify the lease.

116 (8) All leases referred to in this section and all covenants
117 and agreements contained therein shall be binding in all respects
118 upon the parties thereto and their successors, and all the
119 provisions thereof shall be enforceable by mandamus and other
120 remedies provided by law. Nothing in this section shall be
121 construed to terminate or amend existing leases.

122 (9) By December 1 of each year, the Department of Finance
123 and Administration shall submit a report to the chairmen of the
124 Public Property Committees of the Mississippi Senate and the
125 Mississippi House of Representatives containing information
126 regarding any potential savings that could result from purchasing
127 a privately owned building for the purpose of office space for a
128 state agency.

