

By: Senator(s) Thames, Williamson, Smith,
Harden

To: Fees, Salaries and
Administration;
Appropriations

SENATE BILL NO. 2778
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 25-1-77, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT THE DEPARTMENT OF FINANCE AND ADMINISTRATION SHALL
3 PROMULGATE RULES AND REGULATIONS GOVERNING THE PURCHASE OF ANY
4 STATE-OWNED MOTOR VEHICLE WITH REGARD TO THE APPROPRIATENESS OF
5 THE VEHICLE TO ITS INTENDED USE; TO PROVIDE THAT THE DEPARTMENT OF
6 FINANCE AND ADMINISTRATION SHALL NOT GRANT AUTHORITY TO PURCHASE A
7 MOTOR VEHICLE WHICH IS NOT THE APPROPRIATE VEHICLE TYPE FOR ITS
8 INTENDED USE UNLESS SPECIFICALLY APPROVED BY THE LEGISLATURE; TO
9 DECLARE THE INTENT OF THE LEGISLATURE; TO REQUIRE THE STATE
10 AUDITOR TO MAKE ON-SITE VISITS AND CONDUCT AUDITS NECESSARY TO
11 ENSURE THE INTENT OF THIS ACT; TO REPEAL SECTION 25-1-85,
12 MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE NUMBER OF PASSENGER
13 VEHICLES WHICH MAY BE PURCHASED, OWNED AND OPERATED BY STATE
14 DEPARTMENTS, AGENCIES OR INSTITUTIONS; TO INSURE THE
15 CONFIDENTIALITY OF PEER RECORDS; AND FOR RELATED PURPOSES.

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

17 SECTION 1. Section 25-1-77, Mississippi Code of 1972, is
18 amended as follows:

19 25-1-77. (1) No state department, institution or agency
20 shall purchase any motor vehicle, regardless of the source of
21 funds from which the motor vehicle is to be purchased, except
22 under authority granted by the Department of Finance and
23 Administration. The Department of Finance and Administration
24 shall promulgate rules and regulations governing the purchase of
25 any motor vehicle by a state department, institution or agency
26 with regard to the appropriateness of the vehicle to its intended
27 use. The Department of Finance and Administration shall not grant
28 authority to purchase a motor vehicle which is not the most
29 appropriate vehicle type for its intended use unless specifically
30 approved by the Legislature.

31 (2) It is not the intent of the Legislature for the
32 Department of Finance and Administration to determine the

33 sufficient number of motor vehicles needed by each state
34 department, institution or agency, but to regulate the purchase so
35 that the vehicle is the most appropriate type for its intended
36 use. Further, it is the intent of the Legislature that any motor
37 vehicle purchased shall be made with due concern for economical
38 and efficient use, but shall also meet the needs of the
39 department, institution or agency. The department, institution or
40 agency shall maintain proper documentation signed by the executive
41 director which provides the intended use of the vehicle and the
42 basis for choosing the vehicle. Such documentation shall show
43 that the department, institution or agency made reasonable efforts
44 to purchase a vehicle that is economical and appropriate for its
45 intended use. All such documentation shall be maintained and made
46 available for review by the State Auditor and any other reviewing
47 agency.

48 (3) The State Auditor shall make on-site visits and conduct
49 audits necessary to ensure the intent of this section. On or
50 before July 1 of each year, the State Auditor shall prepare and
51 deliver to the Senate and House Fees, Salaries and Administration
52 Committees and the Joint Legislative Budget Committee a report
53 containing any irregularities that he finds concerning purchases
54 of state-owned vehicles.

55 SECTION 2. Section 25-1-85, Mississippi Code of 1972, which
56 provides the number of passenger vehicles which may be purchased,
57 owned and operated by state departments, agencies or institutions,
58 is hereby repealed.

59 SECTION 3. This act shall take effect and be in force from
60 and after its passage.