

By: Representative Brown

To: Appropriations

HOUSE BILL NO. 1390

1 AN ACT TO AMEND SECTION 31-7-9, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE OFFICE OF PURCHASING AND TRAVEL TO ADOPT PURCHASING
3 REGULATIONS GOVERNING THE USE OF CREDIT CARDS, PROCUREMENT CARDS
4 AND/OR PURCHASING CLUB MEMBERSHIP CARDS TO BE USED BY STATE
5 AGENCIES AND LOCAL GOVERNING AUTHORITIES; TO PROVIDE THAT USE OF
6 THOSE CARDS MUST BE IN STRICT COMPLIANCE WITH THE REGULATIONS
7 ESTABLISHED BY THE OFFICE; TO PROVIDE THAT ANY AMOUNTS DUE UNDER
8 SUCH A CARD SHALL INCUR INTEREST CHARGES AND SHALL NOT BE
9 CONSIDERED DEBT; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** Section 31-7-9, Mississippi Code of 1972, is
12 amended as follows:

13 31-7-9. (1) The Office of Purchasing and Travel shall adopt
14 purchasing regulations governing the purchase by any agency of any
15 commodity or commodities and establishing standards and
16 specifications for a commodity or commodities and the maximum fair
17 prices of a commodity or commodities, subject to the approval of
18 the Public Procurement Review Board. The office may adopt
19 purchasing regulations governing the use of credit cards,
20 procurement cards and/or purchasing club membership cards to be
21 used by agencies and governing authorities; however, use of those
22 cards must be in strict compliance with the regulations
23 established by the office. Any amounts due under such a card
24 shall incur interest charges as provided in Section 31-7-305 and
25 shall not be considered debt. The office shall have the power to
26 amend, add to or eliminate purchasing regulations. The adoption
27 of, amendment, addition to or elimination of purchasing
28 regulations shall be based upon a determination by the office,
29 with the approval of the Public Procurement Review Board, that
30 the action is reasonable and practicable and advantageous to



31 promote efficiency and economy in the purchase of commodities by
32 the agencies of the state. Upon the adoption of any purchasing
33 regulation, or an amendment, addition to or elimination of any
34 regulation, copies of them shall be furnished to the State Auditor
35 and to all agencies affected by them. Thereafter, and except as
36 otherwise may be provided in subsection (2) of this section, no
37 agency of the state shall purchase any commodities covered by
38 existing purchasing regulations unless those commodities are in
39 conformity with the standards and specifications set forth in the
40 purchasing regulations and unless the price of the commodities
41 does not exceed the maximum fair price established by the
42 purchasing regulations. The * * * office * * * shall furnish to
43 any county or municipality or other local public agency of the
44 state requesting them, copies of purchasing regulations adopted by
45 the office * * * and any amendments, changes to or eliminations of
46 the regulations that may be made from time to time.

47 (2) The Office of Purchasing and Travel shall adopt, subject
48 to the approval of the Public Procurement Review Board, purchasing
49 regulations governing the purchase of unmarked vehicles to be used
50 by the Bureau of Narcotics and Department of Public Safety in
51 official investigations under Section 25-1-87. The regulations
52 shall ensure that purchases of those vehicles shall be at a fair
53 price and shall take into consideration the peculiar needs of the
54 Bureau of Narcotics and Department of Public Safety in undercover
55 operations.

56 **SECTION 2.** This act shall take effect and be in force from
57 and after July 1, 2002.

