

By: Senator(s) Nunnelee, Browning,  
Carmichael, Chaney, Clarke, Frazier, Gollott,  
Gordon, Hewes, Jackson (11th), King, Lee  
(35th), Little, Michel, Thames, Thomas

To: Appropriations

SENATE BILL NO. 2782

1 AN ACT TO AMEND SECTION 31-9-5, MISSISSIPPI CODE OF 1972, TO  
2 EXTEND THE AUTOMATIC REPEALER ON THE AUTHORITY OF ANY STATE AGENCY  
3 TO DONATE GOODS AND SERVICES FOR THE SUPPORT OF THE LOCAL CHAPTER  
4 OF THE AMERICAN RED CROSS; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 31-9-5, Mississippi Code of 1972, is  
7 amended as follows:

8 31-9-5. (1) The Office of General Services with the  
9 approval of the Public Procurement Review Board shall negotiate  
10 and contract with any appropriate agency or commission of the  
11 United States government or of the State of Mississippi for the  
12 purpose of purchasing or otherwise securing surplus material or  
13 property in bulk lots or quantities, and for the purpose of  
14 assisting all agencies, departments, institutions and  
15 instrumentalities of the State of Mississippi, the boards of  
16 supervisors of the various counties, and the governing authorities  
17 of the various municipalities, drainage districts and other taxing  
18 units in purchasing, leasing or otherwise securing surplus  
19 material or property. After ascertaining the needs of the various  
20 state departments and institutions, counties, municipalities,  
21 drainage districts and other taxing units, the Office of General  
22 Services may enter into contracts with the governing authorities  
23 of such governmental entities as will enable them to carry out the  
24 provisions of this section.

25 (2) The Office of General Services also may acquire state or  
26 federal government surplus property for nonprofit and tax exempt  
27 health and educational institutions, Boy Scouts, Girl Scouts, Camp  
28 Fire Girls, military academies, volunteer fire departments,

29 nonprofit cooperative water associations, Boys Clubs of America  
30 and Girls Clubs of America; however, deliveries to these  
31 institutions shall be made only after they have established their  
32 eligibility by meeting the requirements of the federal government,  
33 have requested the Office of General Services to act for them in  
34 acquiring government surplus property, and have agreed to comply  
35 with both the state and federal laws pertaining to acquisition and  
36 utilization of the property.

37 (3) Any state agency, with the approval of the Office of  
38 General Services, is authorized and empowered, in the discretion  
39 of the governing board or authority of the state agency, to donate  
40 goods or services for the support of any local chapter of the  
41 American Red Cross. This subsection (3) shall stand repealed from  
42 and after July 1, 2009.

43 (4) The Office of General Services may do all other things  
44 which may be necessary to effectuate the purposes of this section.

45 **SECTION 2.** This act shall take effect and be in force from  
46 and after June 30, 2005.