

By: Representatives Crawford, Martinson,
Brown (20th), Dixon

To: S.C.
Accountblty/Efficiency/Transp
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HOUSE BILL NO. 1009
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 43-1-3, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES TO CONTRACT
3 WITH VENDORS OR CONTRACTORS TO IMPROVE THE PERFORMANCE AND
4 EFFICIENCY OF ITS SERVICES; TO REQUIRE ADVANCE LEGISLATIVE
5 APPROVAL BEFORE A COUNTY OFFICE OF THE DEPARTMENT MAY BE CLOSED;
6 AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 43-1-3, Mississippi Code of 1972, is
9 amended as follows:

10 43-1-3. Notwithstanding the authority granted under
11 subsection (4)(d) of Section 43-1-2, the Department of Human
12 Services or the Executive Director of Human Services shall not be
13 authorized to delegate, privatize or otherwise enter into a
14 contract with a private entity for the operation of any office,
15 bureau or division of the department, as defined in Section
16 7-17-11, without specific authority to do so by general act of the
17 Legislature. However, nothing in this section shall be construed
18 to invalidate (i) any contract of the department that is in place
19 and operational before January 1, 1994; or (ii) the continued
20 renewal of any such contract with the same entity upon the



21 expiration of the contract; or (iii) the execution of a contract
22 with another legal entity as a replacement of any such contract
23 that is expiring, provided that the replacement contract is
24 substantially the same as the expiring contract. Nothing in this
25 section shall prohibit the Department of Human Services or the
26 Executive Director of Human Services from entering into any
27 contract with vendors or contractors intended to improve
28 performance, reduce costs or increase efficiency, so long as the
29 contract remains under the supervision or control of an office,
30 bureau or division of the department, and provided that no county
31 office of the department may be closed unless the Legislature
32 specifically authorizes its closure in advance of the closure.

33 This section shall stand repealed on July 1, 2015.

34 **SECTION 2.** This act shall take effect and be in force from
35 and after July 1, 2013.

