

By: Representative Perkins

To: County Affairs

HOUSE BILL NO. 132

1 AN ACT TO AMEND SECTIONS 19-2-3 AND 65-15-1, MISSISSIPPI CODE
2 OF 1972, TO PROVIDE FOR THE ALLOCATION OF COUNTY ROAD AND BRIDGE
3 FUNDS ON AN EQUITABLE BASIS; AND FOR RELATED PURPOSES. BE IT
4 ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

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6 SECTION 1. Section 19-2-3, Mississippi Code of 1972, is
7 amended as follows:

8 19-2-3. (1) Unless otherwise exempted under the provisions
9 of Section 19-2-5, from and after October 1, 1989, each county in
10 the State of Mississippi shall operate on a countywide system of
11 road administration, there shall be no road districts, separate
12 road districts or special road districts in any county,
13 supervisors districts shall not act as road districts, and the
14 construction and maintenance of roads and bridges in each county
15 shall be on a countywide basis so that (a) * * * the planning,
16 construction and maintenance of county roads and bridges; (b) the
17 purchase, ownership and use of all road and bridge equipment,
18 materials and supplies; (c) the employment and use of the road and
19 bridge labor force; and (d) the administration of the county road
20 department shall be on the basis of the needs of the county as a
21 whole, as determined by the board of supervisors, without regard
22 to any district boundaries; however, in the distribution of all
23 road and bridge funds available to the county, fifty percent (50%)
24 shall be allocated equally among the supervisors districts and the
25 remainder shall be expended on the basis of the needs of the
26 county as a whole as determined by the board of supervisors
27 without regard to any district boundaries.

(2) Any references in any statute to a road district, separate road district or special road district, or to a supervisors district acting as a road district, shall, as to any county which is required to operate on a countywide system of road administration, be construed to mean the county as a whole, if such construction is possible within the context of the statute; otherwise, any such reference shall have no force or effect with regard to any such county.

The State Auditor may, pursuant to a request from a board of supervisors in a resolution duly adopted by the board and spread upon its minutes, provide to the requesting board of supervisors his estimates of the cost to the county of implementing and complying with the County Government Reorganization Act of 1988.

SECTION 2. Section 65-15-1, Mississippi Code of 1972, is amended as follows:

[With regard to any county which is exempt from the provisions of Section 19-2-3, this section shall read as follows:]

65-15-1. The board of supervisors may raise funds for working, constructing, reconstructing and maintaining public roads or for building bridges by an ad valorem tax on all assessed taxable property in the county or supervisors district or districts, or by a bond issue, or by either or both of said methods.

Any funds which are derived from a countywide tax levy or which are derived from a bond issue supported by a countywide tax levy shall be allocated for expenditure as follows: Fifty percent (50%) shall be allocated equally among the supervisors districts, and the remainder shall be expended on the basis of the needs of the county as a whole as determined by the board of supervisors without regard to any district boundaries.

[With regard to any county which is required to operate on a countywide system of road administration as described in Section 19-2-3, this section shall read as follows:]

61 65-15-1. The board of supervisors may raise funds for
62 working, constructing, reconstructing and maintaining public roads
63 or for building bridges by an ad valorem tax on all assessed
64 taxable property in the county, or by a bond issue, or by either
65 or both of said methods.

66 SECTION 3. This act shall take effect and be in force from
67 and after October 1, 1999.