

By: Representative Foster

To: Transportation;
Appropriations

HOUSE BILL NO. 1238
(As Passed the House)

1 AN ACT TO AMEND SECTION 65-37-11, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE FOR THE FORFEITURE OF FUNDS ALLOCATED TO A COUNTY OUT
3 OF THE LOCAL SYSTEM BRIDGE REPLACEMENT AND REHABILITATION FUND IF
4 THE COUNTY FAILS TO EXPEND OR OBLIGATE BY CONTRACT SUCH FUNDS
5 WITHIN THREE YEARS; AND FOR RELATED PURPOSES.

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

7 SECTION 1. Section 65-37-11, Mississippi Code of 1972, is
8 amended as follows:

9 65-37-11. (1) The board of supervisors of each county and
10 the governing authorities of each municipality shall be
11 responsible for properly maintaining all bridges replaced or
12 repaired in their respective jurisdictions under the provisions of
13 Sections 65-37-1 through 65-37-15.

14 (2) The State Aid Engineer and his assistants shall make
15 annual maintenance inspections of completed bridge projects and
16 such other periodic inspections as the State Aid Engineer deems
17 necessary. If at any time the State Aid Engineer is of the
18 opinion that a county or municipality has not provided proper
19 maintenance as required by subsection (1) of this section, he
20 shall give written notice thereof to the board of supervisors of
21 the county or the governing authorities of the municipality of
22 default and direct such maintenance as may be necessary to be
23 performed. If within sixty (60) days of the receipt of such
24 notice the board of supervisors or governing authorities have not
25 performed such maintenance as may be necessary, then the county or
26 municipality shall not thereafter be eligible to participate in
27 the Local System Bridge Replacement and Rehabilitation Program.

28 (3) Whenever any county fails to expend or obligate by
29 contract any of the monies allocated to it after July 1, 1999,
30 under the provisions of Sections 65-37-1 through 65-37-15, within
31 three (3) years after the allocation is made, then such county
32 shall forfeit and no longer be entitled to any part of the monies
33 in the Local System Bridge Replacement and Rehabilitation Fund
34 theretofore allocated to it; and the balance of such monies
35 theretofore allocated to it shall be reallocated pro rata between
36 all other eligible counties in accordance with the formula
37 established in Section 65-37-3.

38 SECTION 2. This act shall take effect and be in force from
39 and after July 1, 1999.