

By: Senator(s) Minor

To: Public Utilities;  
Public Health and  
Welfare

## SENATE BILL NO. 2832

1 AN ACT TO CREATE A NEW CODE SECTION TO BE CODIFIED AS SECTION  
2 41-26-103, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF  
3 HEALTH TO DEVELOP ANNUALLY A LIST OF POTENTIALLY NON-VIABLE  
4 COMMUNITY PUBLIC WATER SYSTEMS AND TO REQUIRE THE DEPARTMENT OF  
5 HEALTH TO OFFER THOSE SYSTEMS TECHNICAL ASSISTANCE AT NO COST TO  
6 THE SYSTEM; TO REQUIRE THE DEPARTMENT OF HEALTH TO NOTIFY THE  
7 PUBLIC UTILITIES STAFF IF THE SYSTEM REFUSES THE ASSISTANCE OR  
8 FAILS TO RESPOND; TO AUTHORIZE THE PUBLIC UTILITY STAFF TO CONDUCT  
9 A FINANCIAL OR MANAGERIAL REVIEW, OR BOTH, ON SYSTEMS REFUSING  
10 ASSISTANCE OR FAILING TO RESPOND; TO AUTHORIZE THE PUBLIC  
11 UTILITIES STAFF TO ASSESS AND COLLECT THE COSTS OF THE REVIEW OR  
12 REVIEWS FROM THE APPROPRIATE SYSTEM; AND FOR RELATED PURPOSES.

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

14 SECTION 1. The following shall be codified as Section  
15 41-26-103, Mississippi Code of 1972:

16 41-26-103. (1) The department shall develop annually a list  
17 of community public water systems which the department, after  
18 consultation with the Public Utilities Staff, considers to be  
19 potentially non-viable or experiencing other problems which may  
20 make the system potentially non-viable. The list shall state the  
21 areas of concern and shall be prioritized based upon viability  
22 considerations. The department shall notify at a minimum those  
23 systems shown in top ten (10) places on the list and shall offer  
24 to provide those systems with technical assistance pertaining to  
25 the areas of concern for that system at no cost to the system. If  
26 the notified community public water system refuses the offer of  
27 technical assistance at no cost to the system or fails to respond  
28 within sixty (60) days of the written offer, the department shall  
29 notify the Public Utilities Staff in writing.

30 (2) Following receipt of notification from the department  
31 that a community public water system has refused to accept

32 technical assistance or failed to respond, the Public Utilities  
33 Staff may conduct a financial or managerial review, or both, of  
34 the system and shall submit a copy of any report to the  
35 department. The public utilities staff may assess and collect the  
36 cost of any financial or management review, or both, from the  
37 community public water system on which the review or reviews are  
38 conducted.

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