

By: Browning

To: County Affairs

SENATE BILL NO. 2011

1 AN ACT TO AMEND SECTION 19-3-42, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY TO MAINTAIN
3 PRIVATE ROADS AND DRIVEWAYS USED FOR TURNAROUNDS BY BUSES DESIGNED
4 AND OPERATED FOR THE TRANSPORTATION OF DISABLED PERSONS; AND FOR
5 RELATED PURPOSES.

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

7 SECTION 1. Section 19-3-42, Mississippi Code of 1972, is
8 amended as follows:[JMR1]

9 19-3-42. (1) The board of supervisors of any county is
10 hereby authorized and empowered, in its discretion, to grade,
11 gravel or shell, repair, and/or maintain private gravel or shell
12 roads or driveways to private residences if such roads or
13 driveways are used for school bus turnarounds.

14 (2) Prior to engaging in the work authorized in subsection
15 (1) of this section, the board of supervisors shall spread upon
16 the official minutes of the board:

17 (a) The written request of the school board for such
18 work;

19 (b) The written approval of the board of supervisors
20 for such work;

21 (c) The specific location of the road or driveway to be
22 worked; and

23 (d) The name of the owner of the road or driveway to be
24 worked.

25 (3) The written request of the school board, as required in
26 subsection (2)(a) above, shall contain a current list of all
27 active school bus turnarounds presently in use by the school
28 district or contemplated for use by the school district for the
29 present school year. The approval by the board of supervisors
30 shall be valid and effective for the period of time that a
31 turnaround is anticipated for use, but in no event for a period
32 greater than one (1) year.

33 (4) In addition to the authority granted in subsection (1)
34 of this section, from and after October 1, 1989, the board of
35 supervisors of any county is further authorized, in its
36 discretion, to maintain public school grounds of the county and to
37 grade, gravel, shell or overlay, and/or to maintain gravel, shell,
38 asphalt or concrete roads, driveways or parking lots of public
39 schools of the county if, before engaging in such work, the board
40 of supervisors shall spread upon its official minutes the written
41 request of the school board for such work, the written approval of
42 the board of supervisors for such work and the specific location
43 of the school grounds or road, driveway or parking lot, to be
44 worked.

45 (5) In addition to any other authority granted in this
46 section, the board of supervisors of any county is hereby
47 authorized, in its discretion, to repair and maintain driveways
48 and parking lots of: (a) any nonprofit organization in the county
49 which is tax exempt under Section 501(c) of the United States
50 Internal Revenue Code and which has as one (1) of its primary
51 purposes for organization to aid and assist in the rehabilitation
52 of persons suffering from drug abuse or drug addiction; and (b)
53 any private, nonprofit cemeteries in the county. The board of

54 supervisors of any county shall not be authorized under the
55 provisions of this subsection to repair or maintain driveways or
56 parking lots located more than one hundred fifty (150) feet from
57 the center of any highway, road or street under the jurisdiction
58 of the county.

59 (6) (a) In addition to any other authority granted in this
60 section, the board of supervisors of any county is hereby
61 authorized, in its discretion, to grade, gravel or shell, repair,
62 and/or maintain private gravel or shell roads or driveways to
63 private residences if such roads or driveways are used for
64 turnarounds by buses designed and operated for the transportation
65 of disabled persons.

66 (b) Prior to engaging in the work authorized in this
67 subsection, the board of supervisors shall spread upon the
68 official minutes of the board:

69 (i) The written request of the organization
70 seeking the work;

71 (ii) The written approval of the board of
72 supervisors for the work;

73 (iii) The specific location of the road or
74 driveway to be worked; and

75 (iv) The name of the owner of the road or driveway
76 to be worked.

77 (c) The approval by the board of supervisors shall be
78 valid and effective for the period of time that a turnaround is
79 anticipated for use, but in no event for a period greater than one
80 (1) year.

81 SECTION 2. This act shall take effect and be in force from

82 and after July 1, 2000.