HOUSE BILL NO. 801

AN ACT TO CREATE A REVOLVING FUND IN THE STATE TREASURY TO BE DESIGNATED AS THE "INSTITUTIONS OF HIGHER LEARNING CAPITAL IMPROVEMENTS PREPLANNING FUND," WHICH SHALL BE USED TO FUND THE PREPLANNING OF PROJECTS APPROVED BY THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING AND AUTHORIZED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO PROVIDE THAT EXPENSES FOR THE PREPLANNING OF SUCH PROJECTS SHALL BE PAID FROM THE FUND; TO PROVIDE THAT AMOUNTS EXPENDED FOR THE PREPLANNING OF A PROJECT FROM THE REVOLVING FUND SHALL BE RETURNED TO THE FUND FROM MONEYS APPROPRIATED BY THE LEGISLATURE FOR SUCH PROJECT; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) There is established in the State Treasury a revolving fund to be designated as the "Institutions of Higher Learning Capital Improvements Preplanning Fund," which shall consist of monies appropriated or otherwise made available therefor by the Legislature. Funds deposited into the revolving fund may be expended by the Bureau of Building, Grounds and Real Property Management to obtain preliminary studies and plans for projects approved by the Board of Trustees of State Institutions of Higher Learning and authorized by the Department of Finance and Administration. The bureau shall consider architectural and aesthetic compatibility in the preplanning of any project conducted using money from the Institutions of Higher Learning Capital Improvements Preplanning Fund, and to the extent practicable, all new buildings planned using such money must be of sustainable design and energy efficient.

(2) All expenses for preplanning projects authorized by the Department of Finance and Administration shall be paid upon warrants drawn on the Institutions of Higher Learning Capital Improvements Preplanning Fund created under this section. The
Department of Finance and Administration shall issue warrants upon requisitions signed by the Director of the Bureau of Building, Grounds and Real Property Management. A requisition must set forth the name of the project, estimated cost of the project and the total amount of prior expenditures for the project. The Department of Finance and Administration shall not issue a warrant against the Institutions of Higher Learning Capital Improvements Preplanning Fund if the total amount expended for preliminary study and planning on the project exceeds two percent (2%) of the estimated cost of the project.

(3) Upon the appropriation of funds or the sale of bonds to fund any project finally approved by the Legislature for which planning funds have been expended under this section, the Director of the Bureau of Building, Grounds and Real Property Management shall requisition such amount as has been expended for preliminary planning to be transferred from the available funds for such project to the Institutions of Higher Learning Capital Improvements Preplanning Fund, and the Department of Finance and Administration shall make such transfer.

(4) The Department of Finance and Administration may receive and expend any local or other source funds in connection with the expenditure of funds deposited into the Institutions of Higher Learning Capital Improvements Preplanning Fund.

SECTION 2. This act shall take effect and be in force from and after July 1, 2001.