To: County Affairs

MISSISSIPPI LEGISLATURE  
REGULAR SESSION 2002

By: Representatives McBride, Mitchell  
To: County Affairs

HOUSE BILL NO. 1092

AN ACT TO AMEND SECTION 19-3-42, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY, IN ITS DISCRETION, TO GRADE, GRAVEL OR SHELL, REPAIR AND/OR MAINTAIN PRIVATE GRAVEL OR SHELL ROADS OR DRIVEWAYS TO PRIVATE RESIDENCES OF RESIDENTS OF THE COUNTY SIXTY-FIVE (65) YEARS OF AGE OR OLDER IF SUCH ROADS OR DRIVEWAYS ARE USED BY THE COUNTY, OR BY SOME PERSON OR COMPANY WITH WHOM THE COUNTY HAS CONTRACTED, TO PROVIDE GARBAGE OR RUBBISH COLLECTION AND DISPOSAL SERVICES; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 19-3-42, Mississippi Code of 1972, is amended as follows:

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

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

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

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

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

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

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

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

(5) In addition to any other authority granted in this
section, the board of supervisors of any county is hereby
authorized, in its discretion, to repair and maintain driveways
and parking lots of: (a) any nonprofit organization in the county
which is tax exempt under Section 501(c) of the United States
Internal Revenue Code and which has as one (1) of its primary
purposes for organization to aid and assist in the rehabilitation
of persons suffering from drug abuse or drug addiction; and (b)
any private, nonprofit cemeteries in the county. The board of
supervisors of any county shall not be authorized under the
provisions of this subsection to repair or maintain driveways or
parking lots located more than one hundred fifty (150) feet from
the center of any highway, road or street under the jurisdiction
of the county.
(6) In addition to any other authority granted in this section, the board of supervisors of any county, in its discretion, may grade, gravel or shell, repair and/or maintain private gravel or shell roads or driveways to private residences of residents of the county sixty-five (65) years of age or older if such roads or driveways are used by the county, or by some person or company with whom the county has contracted, to provide garbage or rubbish collection and disposal services.

SECTION 2. This act shall take effect and be in force from and after July 1, 2002.