

By: Representatives McBride, Mitchell

To: County Affairs

HOUSE BILL NO. 1092

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

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

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

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

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

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

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

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

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

29 (3) The written request of the school board, as required in
 30 subsection (2)(a) above, shall contain a current list of all



31 active school bus turnarounds presently in use by the school
32 district or contemplated for use by the school district for the
33 present school year. The approval by the board of supervisors
34 shall be valid and effective for the period of time that a
35 turnaround is anticipated for use, but in no event for a period
36 greater than one (1) year.

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

49 (5) In addition to any other authority granted in this
50 section, the board of supervisors of any county is hereby
51 authorized, in its discretion, to repair and maintain driveways
52 and parking lots of: (a) any nonprofit organization in the county
53 which is tax exempt under Section 501(c) of the United States
54 Internal Revenue Code and which has as one (1) of its primary
55 purposes for organization to aid and assist in the rehabilitation
56 of persons suffering from drug abuse or drug addiction; and (b)
57 any private, nonprofit cemeteries in the county. The board of
58 supervisors of any county shall not be authorized under the
59 provisions of this subsection to repair or maintain driveways or
60 parking lots located more than one hundred fifty (150) feet from
61 the center of any highway, road or street under the jurisdiction
62 of the county.



63 (6) In addition to any other authority granted in this
64 section, the board of supervisors of any county, in its
65 discretion, may grade, gravel or shell, repair and/or maintain
66 private gravel or shell roads or driveways to private residences
67 of residents of the county sixty-five (65) years of age or older
68 if such roads or driveways are used by the county, or by some
69 person or company with whom the county has contracted, to provide
70 garbage or rubbish collection and disposal services.

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

