

By: Senator(s) Farris

To: Finance

SENATE BILL NO. 2618

1 AN ACT TO CREATE THE SMART GROWTH ECONOMIC DEVELOPMENT  
 2 INFRASTRUCTURE ACT FOR THE PURPOSE OF PROVIDING FINANCIAL  
 3 ASSISTANCE TO QUALIFIED DISTRESSED COUNTIES FOR CERTAIN  
 4 INFRASTRUCTURE NEEDS; TO PROVIDE THAT SUCH ASSISTANCE SHALL BE IN  
 5 THE FORM OF LOANS OR LOANS CONVERTIBLE TO GRANTS UPON THE  
 6 SATISFACTION OF CERTAIN CONDITIONS; TO PROVIDE THAT THE PROGRAM  
 7 SHALL BE ADMINISTERED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO  
 8 CREATE THE SMART GROWTH ECONOMIC DEVELOPMENT INFRASTRUCTURE FUND;  
 9 AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** This act shall be known as the Smart Growth  
 12 Economic Development Infrastructure Act.

13 **SECTION 2.** (1) As used in this act:

14 (a) "Fund" means the Smart Growth Economic Development  
 15 Infrastructure Fund established pursuant to this section.

16 (b) "Qualified distressed county" means a county that  
 17 has developed in consultation with the municipalities located  
 18 within the county and submitted to the executive director a local  
 19 strategic plan for economic development that has been approved by  
 20 the executive director and:

21 (i) For which the average rate of unemployment for  
 22 the most recent eighteen-month period for which data are  
 23 available, is greater than one hundred fifty percent (150%) of the  
 24 average rate of unemployment for the entire state during that same  
 25 period; or

26 (ii) For which the average per capita personal  
 27 income for the most recent twenty-four-month period for which data  
 28 are available is equal to or less than sixty-seven percent (67%)  
 29 of the average personal per capita income for the entire state  
 30 during that same period.



31 (c) "Executive director" means the executive director  
32 of the Mississippi Development Authority.

33 (d) "MDA" means the Mississippi Development Authority.

34 **SECTION 3.** (1) There is established the Smart Growth  
35 Economic Development Infrastructure Program for the purposes of  
36 providing financial assistance to counties as provided in this  
37 section. Assistance under this program shall consist of loans  
38 from the fund or loans from the fund that are convertible in whole  
39 or in part to a grant upon the satisfaction of specified  
40 conditions, all upon terms specified by MDA.

41 (2) Except as otherwise provided in this section, the  
42 executive director may approve financial assistance from the fund  
43 to a qualified distressed county for the purposes of financing the  
44 costs of acquisition, improvements and rehabilitation of land for  
45 industrial sites and parks, development of water and sewer lines,  
46 shell building, infrastructure serving existing retail and office  
47 oriented center occupying at least four hundred thousand (400,000)  
48 square feet on a limited basis of no more than one (1) per  
49 jurisdiction, and other needed infrastructure projects.

50 (3) (a) In addition to any other requirement for an  
51 application for financial assistance under this section, an  
52 application for financial assistance under this section shall  
53 include for each project:

54 (i) A marketing plan designed to market the  
55 project to prospective businesses and a statement of planned  
56 marketing expenditures as a percent of the total financial  
57 assistance amount requested; and

58 (ii) A site plan for the project that is  
59 consistent with the county's local strategic economic development  
60 plan as to the location and type of project.

61 (b) The executive director may not approve financial  
62 assistance for a project under this act unless he approves the



63 marketing plan and site plan for the project submitted with the  
64 application.

65 (4) (a) Each loan agreement under this section shall  
66 include a provision for repayment of principal to begin only after  
67 the project is initially occupied.

68 (b) The executive director may include in a loan  
69 agreement under this section a provision for payment of interest  
70 to begin only after the project is initially occupied.

71 (c) All payment of principal or interest on any loan  
72 made pursuant to this act shall be deposited into the fund.

73 (5) The qualified or distressed county or municipality  
74 applying for assistance shall:

75 (a) Certify that it supports the project and that the  
76 proposed financial assistance is consistent with the qualified  
77 distressed county's plan for economic development; and

78 (b) Provide to MDA details of the qualified distressed  
79 county's support for participation in the project.

80 (6) In approving financial assistance, the executive  
81 director shall consider the aggregate amount of financial  
82 assistance that may already have been provided for a particular  
83 qualified distressed county under this section and under any other  
84 state economic development program to ensure that no particular  
85 qualified distressed county benefits disproportionately from  
86 financial assistance under this section.

87 (7) MDA may develop a local strategic plan for economic  
88 development in a qualified distressed county in consultation with  
89 a municipal corporation in that county if:

90 (a) The qualified distressed county has not developed a  
91 local strategic plan for economic development; or

92 (b) The qualified distressed county has developed a  
93 local strategic plan for economic development but is not actively  
94 pursuing financial assistance from the fund.



95 (8) A municipal corporation located in a qualified  
96 distressed county may:

97 (a) Apply for financial assistance from the fund in a  
98 manner consistent with the plan developed by MDA in consultation  
99 with the municipal corporation if the qualified distressed county  
100 has not developed a local strategic plan for economic development;  
101 or

102 (b) Apply for financial assistance from the fund in a  
103 manner consistent with the plan developed by the qualified  
104 distressed county if the qualified distressed county has developed  
105 a local strategic plan for economic development but is not  
106 actively pursuing financial assistance from the fund.

107 (9) MDA shall adopt all rules and regulations necessary to  
108 implement the provisions of this act.

109 **SECTION 4.** There is created in the State Treasury a special  
110 fund to be known as Smart Growth Economic Development  
111 Infrastructure Fund into which shall be deposited any money  
112 designated for deposit therein and any repayment of principal and  
113 interest on loans made pursuant to the provisions of this act.  
114 Money in the fund shall be used for the purposes provided for in  
115 this act. The fund shall be administered by MDA and money in the  
116 fund shall be expended upon appropriation by the Legislature.  
117 Unexpended amounts remaining in the fund at the end of the state  
118 fiscal year shall not lapse into the State General Fund, and any  
119 interest earned on amounts in the fund shall be deposited to the  
120 credit of the fund.

121 **SECTION 5.** This act shall take effect and be in force from  
122 and after July 1, 2002.

