

By: Representative Ford

To: Public Health and Welfare

HOUSE BILL NO. 766

1 AN ACT TO AMEND SECTION 41-26-103, MISSISSIPPI CODE OF 1972,  
2 TO EXTEND THE REPEALER ON THE PROVISION OF LAW THAT REQUIRES THE  
3 DEPARTMENT OF HEALTH TO IDENTIFY POTENTIALLY NONVIABLE COMMUNITY  
4 PUBLIC WATER SYSTEMS AND PROVIDE NO COST TECHNICAL ASSISTANCE TO  
5 THOSE SYSTEMS; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 41-26-103, Mississippi Code of 1972, is  
8 amended as follows:

9 41-26-103. (1) The department shall develop annually a list  
10 of community public water systems that the department, after  
11 consultation with the Public Utilities Staff created in Section  
12 77-2-1, considers to be potentially nonviable or experiencing  
13 other problems that may make the system potentially nonviable.  
14 The list shall state the areas of concern and shall be prioritized  
15 based upon viability considerations. The department shall notify  
16 at a minimum those systems shown in top ten (10) places on the  
17 list and shall offer to provide each of those systems with  
18 technical assistance pertaining to the areas of concern for the  
19 system at no cost to the system. If the notified community public  
20 water system refuses the offer of technical assistance at no cost  
21 to the system or fails to respond within sixty (60) days of the  
22 written offer, the department shall notify the Public Utilities  
23 Staff in writing.

24 (2) Following receipt of notification from the department  
25 that a community public water system has refused to accept  
26 technical assistance or failed to respond, the Public Utilities  
27 Staff may conduct a financial or managerial review, or both, of  
28 the system and shall submit a copy of any report to the



29 department. The Public Utilities Staff may assess and collect the  
30 cost of any financial or management review, or both, from the  
31 community public water system on which the review or reviews are  
32 conducted.

33 (3) This section shall be repealed on July 1, 2004.

34 **SECTION 2.** This act shall take effect and be in force from  
35 and after July 1, 2003.

