HOUSE BILL NO. 1065

AN ACT TO AMEND SECTION 65-37-11, MISSISSIPPI CODE OF 1972, TO REDUCE FROM FOUR YEARS TO THREE YEARS THE PERIOD OF TIME AFTER WHICH A COUNTY IS ALLOCATED MONIES UNDER THE LOCAL SYSTEM BRIDGE REPLACEMENT AND REHABILITATION PROGRAM THAT THE COUNTY MUST BE ELIGIBLE FOR EXPENDITURE OF SUCH MONIES IN ORDER TO PREVENT SUCH MONIES FROM BEING REALLOCATED TO OTHER ELIGIBLE COUNTIES; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 65-37-11, Mississippi Code of 1972, is amended as follows:

65-37-11. (1) The board of supervisors of each county and the governing authorities of each municipality shall be responsible for properly maintaining all bridges replaced or repaired in their respective jurisdictions under the provisions of Sections 65-37-1 through 65-37-15.

(2) The State Aid Engineer and his assistants shall make annual maintenance inspections of completed bridge projects and such other periodic inspections as the State Aid Engineer deems necessary. If at any time the State Aid Engineer is of the opinion that a county or municipality has not provided proper maintenance as required by subsection (1) of this section, he shall give written notice thereof to the board of supervisors of the county or the governing authorities of the municipality of default and direct such maintenance as may be necessary to be performed. If within sixty (60) days of the receipt of such notice the board of supervisors or governing authorities have not performed such maintenance as may be necessary, then the county or municipality shall not thereafter be eligible to participate in the Local System Bridge Replacement and Rehabilitation Program.
Whenever any county fails to be eligible for the expenditure of monies allocated to it under the provisions of Sections 65-37-1 through 65-37-15 for a continuous period of three years, then such county shall forfeit and no longer be entitled to any part of the monies in the Local System Bridge Replacement and Rehabilitation Fund theretofore allocated to it; and the balance of such monies theretofore allocated to it shall be reallocated pro rata between all other eligible counties in accordance with the formula established in Section 65-37-3.

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