

By: Representative Nicholson

To: Transportation;
Appropriations

HOUSE BILL NO. 113

1 AN ACT TO ESTABLISH A STATE-ASSISTED LOCAL ROAD CONSTRUCTION
2 AND MAINTENANCE PROGRAM FOR THE PURPOSE OF PROVIDING FINANCIAL
3 ASSISTANCE TO COUNTIES AND MUNICIPALITIES IN THE CONSTRUCTION,
4 RECONSTRUCTION AND MAINTENANCE OF HIGHWAYS, ROADS AND STREETS THAT
5 ARE NOT INCLUDED ON THE STATE HIGHWAY SYSTEM OR THE STATE AID ROAD
6 SYSTEM; TO PROVIDE THAT THE PROGRAM SHALL BE ADMINISTERED BY THE
7 OFFICE OF STATE AID ROAD CONSTRUCTION; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** (1) There is established a state-assisted local
10 road construction and maintenance program to be administered by
11 the Office of State Aid Road Construction for the purpose of
12 providing financial assistance to counties in the construction,
13 reconstruction, overlaying, repair and maintenance of highways,
14 roads and streets that are not included on the state highway
15 system or on the state aid road system.

16 (2) There is created in the State Treasury a special fund to
17 be designated as the "State-assisted County Road Construction and
18 Maintenance Fund." The State Fiscal Officer shall transfer the
19 sum of Twenty-five Million Dollars (\$25,000,000.00) from the State
20 General Fund to the special fund each fiscal year during fiscal
21 years 2006, 2007, 2008, 2009 and 2010. The transfer for each
22 fiscal year shall be made in four (4) equal quarterly payments,
23 with the first payment in each fiscal year to be made on July 1.
24 Such monies as are deposited into the fund under the provisions of
25 this section shall be allocated and distributed by the State Aid
26 Engineer, upon legislative appropriation, equally to each of the
27 counties, and there shall be no deduction by the State Aid
28 Engineer for administrative expenses of the Office of State Aid
29 Road Construction. Unexpended amounts remaining in the special

30 fund at the end of a fiscal year shall not lapse to the State
31 General Fund, and any interest earned on amounts in the fund shall
32 be deposited to the credit of the fund.

33 (3) Each county that receives monies from the State-assisted
34 County Road Construction and Maintenance Fund, shall establish a
35 special fund in the county treasury; and all monies received by
36 the county from the State-assisted County Road Construction and
37 Maintenance Fund, along with any other available monies that the
38 county may designate, shall be deposited into the special fund of
39 the county. Monies in the county special fund may not be expended
40 for any purpose except for expenses related to the construction,
41 reconstruction, overlaying, repair and maintenance of highways,
42 roads and streets within the county that are not included on the
43 state highway system or on the state aid road system. The State
44 Department of Audit shall have authority and responsibility to
45 make annual audits and investigations of all funds deposited to
46 and expended from such special fund of the county.

47 **SECTION 2.** This act shall take effect and be in force from
48 and after July 1, 2005.