

By: Representative Fillingane

To: County Affairs

HOUSE BILL NO. 883

1 AN ACT TO AMEND SECTION 19-3-42, MISSISSIPPI CODE OF 1972, TO  
2 AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY TO GRADE, GRAVEL  
3 OR SHELL, REPAIR AND/OR MAINTAIN PRIVATE GRAVEL OR SHELL ROADS OR  
4 DRIVEWAYS TO PRIVATE RESIDENCES IF SUCH ROADS OR DRIVEWAYS ARE  
5 USED AS SCHOOL BUS TURNAROUNDS FOR PRIVATE SCHOOLS; AND FOR  
6 RELATED PURPOSES.

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

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

10 19-3-42. (1) The board of supervisors of any county is  
11 hereby authorized and empowered, in its discretion, to grade,  
12 gravel or shell, repair, and/or maintain private gravel or shell  
13 roads or driveways to private residences if such roads or  
14 driveways are used as school bus turnarounds for public or private  
15 schools.

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

19 (a) The written request of the public school board or  
20 the written request of the governing authority of the private  
21 school for such work;

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

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

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

28 (3) The written request of the public school board or the  
29 written request of the governing authority of the private school,

30 as required in subsection (2)(a) above, shall contain a current  
31 list of all active school bus turnarounds presently in use or  
32 contemplated for use by the public school district or by the  
33 governing authority of the private school for the present school  
34 year. The approval by the board of supervisors shall be valid and  
35 effective for the period of time that a turnaround is anticipated  
36 for use, but in no event for a period 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 of its primary purposes  
55 for organization to aid and assist in the rehabilitation of  
56 persons suffering from drug abuse or drug addiction; and (b) any  
57 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           **SECTION 2.** This act shall take effect and be in force from  
64 and after July 1, 2005.