

By: Representatives Barker, Clark, Rushing

To: Municipalities;
Conservation and Water
Resources

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 122

1 AN ACT TO ESTABLISH A MUNICIPAL WATER, SEWER AND WASTEWATER
2 SYSTEMS REPAIR AND REPLACEMENT GRANT PROGRAM TO BE ADMINISTERED BY
3 THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE PURPOSE OF
4 ASSISTING MUNICIPALITIES WITH THE COSTS OF REPAIRING AND REPLACING
5 DAMAGED, OUTDATED OR INEFFICIENT WATER AND SEWER SYSTEM LINES AND
6 WASTEWATER TREATMENT FACILITIES; TO PROVIDE THAT IN ORDER FOR A
7 MUNICIPALITY TO BE ELIGIBLE FOR A GRANT UNDER THE PROVISIONS OF
8 THIS ACT, THE MUNICIPALITY MUST PRESENT TO THE DEPARTMENT OF
9 ENVIRONMENTAL QUALITY A PLAN FOR REPAIRING AND REPLACING WATER OR
10 SEWER SYSTEM LINES OR WASTEWATER TREATMENT FACILITIES IN THE
11 MUNICIPALITY, AND MUST AGREE TO PROVIDE MATCHING FUNDS EQUAL TO
12 TWENTY PERCENT OF THE AMOUNT OF THE GRANT; TO CREATE IN THE STATE
13 TREASURY A SPECIAL FUND TO BE KNOWN AS THE MUNICIPAL WATER, SEWER
14 AND WASTEWATER SYSTEMS REPAIR AND REPLACEMENT GRANT PROGRAM FUND;
15 TO PROVIDE THAT THE FUND WILL CONSIST OF MONIES APPROPRIATED BY
16 THE LEGISLATURE FOR FUNDING THE PROGRAM, AND ANY OTHER MONIES THAT
17 THE LEGISLATURE MAY DESIGNATE FOR DEPOSIT INTO THE FUND; TO
18 PROVIDE THAT MONIES IN THE FUND MAY BE EXPENDED UPON LEGISLATIVE
19 APPROPRIATION FOR MAKING GRANTS TO MUNICIPALITIES FOR THE PURPOSES
20 SPECIFIED IN THIS ACT; AND FOR RELATED PURPOSES.

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

22 **SECTION 1.** (1) Subject to appropriation by the Legislature,
23 there is established a Municipal Water, Sewer and Wastewater
24 Systems Repair and Replacement Grant Program to be administered by
25 the Department Environmental Quality for the purpose of assisting
26 municipalities with the costs of repairing and replacing damaged,



27 outdated or inefficient water and sewer system lines and
28 wastewater treatment facilities.

29 As used under this section, municipalities shall mean cities,
30 towns and villages as described under Section 21-1-1.

31 (2) In administering the provisions of this act, Department
32 Environmental Quality shall have the following powers and duties:

33 (a) To supervise the use of all grant funds made to
34 municipalities under this act for repairing and replacing water
35 and sewer system lines and wastewater treatment facilities;

36 (b) To review and certify all projects for which grants
37 are made to municipalities under this act for repairing and
38 replacing water and sewer system lines and wastewater treatment
39 facilities;

40 (c) To requisition monies in the Municipal Water, Sewer
41 and Wastewater Systems Repair and Replacement Grant Program Fund
42 and make grants from those monies to municipalities on a
43 project-by-project basis;

44 (d) To maintain an accurate record of all grants made
45 to municipalities under this act for repairing and replacing water
46 and sewer system lines and wastewater treatment facilities and of
47 the number of water and sewer system lines and wastewater
48 treatment facilities repaired or replaced, their location and the
49 costs for each project; and



50 (e) To adopt and promulgate such rules and regulations
51 as may be necessary or desirable for the purpose of implementing
52 the provisions of this act.

53 (3) In order for a municipality to be eligible for a grant
54 under the provisions of this act, the municipality must meet the
55 following conditions:

56 (a) The governing authorities of the municipality must
57 present to the Department Environmental Quality a plan for
58 repairing and replacing water or sewer system lines or wastewater
59 treatment facilities in the municipality. The plan must identify
60 the proposed project or projects, specify the condition of the
61 existing water or sewer system lines or wastewater treatment
62 facilities included in the project, and the type of repair or
63 replacement proposed to be made and the design and specifications
64 therefor; and

65 (b) The governing authorities of the municipality must
66 agree to provide matching funds equal to twenty percent (20%) of
67 the amount of the grant.

68 (4) There is created in the State Treasury a special fund to
69 be designated as the Municipal Water, Sewer and Wastewater Systems
70 Repair and Replacement Grant Program Fund. The fund shall consist
71 of monies appropriated by the Legislature for funding the program,
72 and any other monies that the Legislature may designate for
73 deposit into the fund. Monies in the fund may be expended upon
74 legislative appropriation for making grants to municipalities for



75 the purposes specified in this act. Unexpended amounts remaining
76 in the fund at the end of a fiscal year shall not lapse into the
77 State General Fund, and any interest earned on amounts in the fund
78 shall be deposited to the credit of the fund.

79 **SECTION 2.** This act shall take effect and be in force from
80 and after July 1, 2016.

