

By: Representative Weathersby

To: Public Property

HOUSE BILL NO. 736
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 31-11-27, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE EACH STATE INSTITUTION OF HIGHER LEARNING, COMMUNITY
3 AND JUNIOR COLLEGE TO INCLUDE A CURRENT CONDITIONS AND RATING
4 REPORT OF ALL ROOFS IN THEIR CAPITAL NEEDS ASSESSMENTS REQUIRED BY
5 THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO PROVIDE THAT EACH
6 ROOF OF BUILDINGS NOT PLANNED FOR DEMOLITION SHALL BE VISUALLY
7 INSPECTED BY INSTITUTION OR AGENCY FACILITIES' STAFF, A LICENSED
8 ARCHITECT OR ENGINEER OR BY THERMAL IMAGING INSPECTION EVERY THREE
9 YEARS; TO REQUIRE THE DEPARTMENT TO SUBMIT THE DETAILED REPORT TO
10 THE PUBLIC PROPERTY COMMITTEES OF THE HOUSE AND SENATE ON OR
11 BEFORE SEPTEMBER 1 OF EACH YEAR; TO REQUIRE THE REPORTS TO CONTAIN
12 PRIORITIZED LISTS OF PROJECTS RANKED ON THE BASIS OF NEED
13 CONSISTENT WITH THE PRIMARY GOAL OF PRESERVING EXISTING CAPITAL
14 ASSETS WHERE POSSIBLE AND REPLACING EXISTING CAPITAL ASSETS WHERE
15 NECESSARY; TO PROVIDE THAT ANY REQUEST FOR NEW CONSTRUCTION SHALL
16 IDENTIFY THE TOTAL AMOUNT OF NONSTATE FUNDS AVAILABLE TO SUPPORT
17 THE CONSTRUCTION PROJECT AND ANY PROPOSED FUNDING SOURCE FOR
18 FUTURE OPERATING, REPAIR AND RENOVATION COSTS; AND FOR RELATED
19 PURPOSES.

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

21 **SECTION 1.** Section 31-11-27, Mississippi Code of 1972, is
22 amended as follows:

23 31-11-27. (1) (a) The Department of Finance and
24 Administration shall conduct a detailed study of the building and
25 other capital needs at each state institution and at each
26 community college and junior college immediately prior to



27 September first in each year. This study shall include, but shall
28 not be limited to, the following matters:

29 (i) An inventory of every state building and other
30 capital facility which is the property of the State of
31 Mississippi;

32 (ii) The location, date of construction or
33 acquisition, the purpose for which used, outstanding indebtedness
34 against such facility, if any, and cost of repairs for the
35 preceding fiscal year;

36 (iii) An examination of the condition of the
37 building or other facility, including current conditions and
38 ratings of all roofs at each state agency, state institution of
39 higher learning, community college and junior college;

40 (iv) An estimate of the cost of repairs required
41 to place the facility in good condition;

42 (v) An estimate of the cost of major renovations,
43 if contemplated; and

44 (vi) A determination of the new building and other
45 facility needs of each institution with such needs classified
46 under immediate or long range requirements.

47 (b) All state agencies, departments and institutions
48 are hereby * * * required and directed to cooperate with the
49 Department of Finance and Administration in carrying out the
50 provisions of this section. For purposes of validating subsection
51 (1) (a) (iii) above, each roof of a building not planned for



52 demolition must be visually inspected by institution or agency
53 facilities' staff, by a licensed architect or engineer or by
54 thermal imaging inspection at least every three (3) years.

55 (c) The Department of Finance and Administration shall
56 submit a detailed report to the Legislative Budget Office, the
57 House Public Property Committee and the Senate Public Property
58 Committee on or before September first of each year. Such report
59 shall be in such detail and in such form as may be prescribed by
60 the Legislative Budget Office.

61 (d) The architect or building inspector of the
62 Department of Finance and Administration shall make a biennial
63 inspection of the New Capitol, Old Capitol, Woolfolk State Office
64 Building, War Memorial Building, the Governor's Mansion, and all
65 other buildings under jurisdiction of the Department of Finance
66 and Administration for structural or other physical needs or
67 defects of such buildings, and he shall further inquire of the
68 department or its representatives regarding the condition of the
69 buildings. He shall make a written report of his finding to the
70 Department of Finance and Administration, Governor, Lieutenant
71 Governor and Speaker of the House of Representatives. The report
72 shall also make recommendations for repairs and list, by number,
73 the priority which should be given to making necessary repairs.

74 (2) (a) In addition to any report required in subsection
75 (1) of this section, the Department of Finance and Administration
76 shall prepare and submit an annual report to the Legislative



77 Budget Office, the House Public * * * Property Committee and the
78 Senate Public Property Committee describing the proposed capital
79 improvements projects for state agencies, departments and
80 institutions for the upcoming five-year period. The Department of
81 Finance and Administration shall not be required to include in the
82 report any project costing less than One Million Dollars
83 (\$1,000,000.00). The department shall submit the report before
84 September 1 of each year. The report shall include at least the
85 following information:

86 (i) A prioritized list of the projects proposed
87 for the five-year period, with each project ranked on the basis of
88 need, consistent with the primary goal of preserving existing
89 capital assets where possible and replacing existing capital
90 assets where necessary;

91 (ii) A prioritized list of the projects proposed
92 for the next regular legislative session, with each project ranked
93 on the basis of need, consistent with the primary goal of
94 preserving existing capital assets where possible and replacing
95 existing capital assets where necessary;

96 (iii) A prioritized list of the projects requested
97 by each state agency, department or institution;

98 (iv) A detailed explanation of criteria used by
99 the Department of Finance and Administration to rank projects for
100 purposes of any list it prepares under this paragraph (a);



101 (v) A detailed statement of justification for each
102 project;

103 (vi) The approximate cost for each project,
104 including, but not limited to, itemized estimates of costs for
105 preplanning, constructing, furnishing and equipping a project, and
106 costs for property acquisition;

107 (vii) The estimated beginning date and completion
108 date for each project;

109 (viii) Whether a project, as proposed, is a
110 complete project or a phase or part of a project;

111 (ix) How a project will affect the operating
112 budget of the applicable agency, department or institution for the
113 upcoming five-year period, regarding such items as additional
114 personnel requirements, utility costs, maintenance costs, security
115 costs, etc. Any request for new construction other than
116 replacement, or for purposes other than incidental expansion of
117 existing facilities, shall also identify the total amount of
118 nonstate funds to support such project;

119 (x) The proposed method of financing each project
120 and the effect such financing will have on the state budget,
121 including an estimate of any required debt service for the
122 project, and an estimate of any federal funds or other funds that
123 the agency, department or institution may have access to because
124 of the project; and



125 (xi) A list of the projects requested by each
126 agency, department or institution for the five-year period, with
127 each project ranked by the appropriate agency, department or
128 institution on the basis of need.

129 (b) To enable the Department of Finance and
130 Administration to prepare the report required in this subsection
131 (2), it may require all state agencies, departments and
132 institutions to file a capital improvements projects request with
133 such information and in such form and in such detail as the
134 department may deem necessary and advisable. Such request shall
135 be filed with the Department of Finance and Administration no
136 later than August 1 of each year.

137 **SECTION 2.** This act shall take effect and be in force from
138 and after July 1, 2018.

