

By: Representative Byrd

To: Appropriations

HOUSE BILL NO. 1005

1 AN ACT TO AMEND SECTION 65-37-13, MISSISSIPPI CODE OF 1972,
 2 TO INCREASE THE AMOUNT THE LEGISLATURE SHALL APPROPRIATE TO THE
 3 LOCAL SYSTEM BRIDGE REPLACEMENT AND REHABILITATION PROGRAM
 4 BEGINNING IN 2018 IN YEARS THAT CERTAIN GROWTH REVENUE ESTIMATES
 5 ARE ACHIEVED THE PRECEDING YEAR; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 65-37-13, Mississippi Code of 1972, is
 8 amended as follows:

9 65-37-13. (1) There is created in the State Treasury a
 10 special fund to be designated as the "Local System Bridge
 11 Replacement and Rehabilitation Fund." The fund shall consist of
 12 monies that the Legislature appropriates under subsection (2) of
 13 this section, the proceeds of bonds issued under Section 10 of
 14 Chapter 557, Laws of 2009, and any other monies that the
 15 Legislature may designate for deposit into the fund. Monies in
 16 the fund may be expended upon legislative appropriation in
 17 accordance with the provisions of Sections 65-37-1 through
 18 65-37-15.



19 (2) (a) During each regular legislative session held in
20 calendar years 1995, 1996, 1997 and 1998, if the official General
21 Fund revenue estimate for the succeeding fiscal year for which
22 appropriations are being made reflects a growth in General Fund
23 revenues of three percent (3%) or more for that succeeding fiscal
24 year, then the Legislature shall appropriate Twenty-five Million
25 Dollars (\$25,000,000.00) from the State General Fund for deposit
26 into the Local System Bridge Replacement and Rehabilitation Fund.

27 (b) During the regular legislative session held in
28 calendar year 1999, if the official General Fund revenue estimate
29 for the succeeding fiscal year for which appropriations are being
30 made reflects a growth in General Fund revenues of two percent
31 (2%) or more for the succeeding fiscal year, then the Legislature
32 shall appropriate Ten Million Dollars (\$10,000,000.00) from the
33 State General Fund for deposit into the Local System Bridge
34 Replacement and Rehabilitation Fund.

35 (c) Except as otherwise provided in this paragraph (c),
36 during each regular legislative session held in calendar years
37 2001 through 2017, if the official General Fund revenue estimate
38 for the succeeding fiscal year for which appropriations are being
39 made reflects a growth in General Fund revenues of two percent
40 (2%) or more for the succeeding fiscal year, then the Legislature
41 shall appropriate Twenty Million Dollars (\$20,000,000.00) from the
42 State General Fund for deposit into the Local System Bridge
43 Replacement and Rehabilitation Fund. However, during the regular



44 legislative sessions held in calendar years 2003, 2004, 2005,
45 2006, 2007, 2008, 2009, 2010, 2011, 2014, 2015 and 2016 the
46 Legislature shall not be required to appropriate funds for deposit
47 into the Local System Bridge Replacement and Rehabilitation Fund.

48 (d) Beginning with the regular legislative session held
49 in calendar year 2018 and in each regular legislative session held
50 thereafter, if the official General Fund revenue estimate for the
51 succeeding fiscal year for which appropriations are being made
52 reflects a growth in General Fund revenues of two percent (2%) or
53 more for the succeeding fiscal year, then the Legislature shall
54 appropriate Sixty Million Dollars (\$60,000,000.00) from the State
55 General Fund for deposit into the Local System Bridge Replacement
56 and Rehabilitation Fund.

57 (3) Monies that are deposited into the fund under the
58 provisions of this section may be expended upon requisition
59 therefor by the State Aid Engineer in accordance with the
60 provisions of Sections 65-37-1 through 65-37-15. The Office of
61 State Aid Road Construction shall be entitled to reimbursement
62 from monies in the fund, upon requisitions therefor by the State
63 Aid Engineer, for the actual expenses incurred by the office in
64 administering the provisions of the Local System Bridge
65 Replacement and Rehabilitation Program. Unexpended amounts
66 remaining in the fund at the end of a fiscal year shall not lapse
67 into the State General Fund, and any interest earned on amounts in
68 the fund shall be deposited to the credit of the fund.



69 (4) Monies in the Local System Bridge Replacement and
70 Rehabilitation Fund shall be allocated and become available for
71 distribution to counties in accordance with the formula prescribed
72 in Section 65-37-3 beginning January 1, 1995, on a
73 project-by-project basis. Monies in the Local System Bridge
74 Replacement and Rehabilitation Fund may not be used or expended
75 for any purpose except as authorized under Sections 65-37-1
76 through 65-37-15.

77 (5) Monies in the Local System Bridge Replacement and
78 Rehabilitation Fund may be credited to a county in advance of the
79 normal accrual to finance certain projects, subject to the
80 approval of the State Aid Engineer and subject further to the
81 following limitations:

82 (a) That the maximum amount of such monies that may be
83 advanced to any county shall not exceed ninety percent (90%) of
84 the funds estimated to accrue to such county during the remainder
85 of the term of office of the board of supervisors of such county;

86 (b) That no advance credit of funds will be made to any
87 county when the unobligated balance in the Local System Bridge
88 Replacement and Rehabilitation Fund is less than One Million
89 Dollars (\$1,000,000.00); and

90 (c) That such advance crediting of funds be effected by
91 the State Aid Engineer at the time of the approval of the plans
92 and specifications for the proposed projects.



93 It is the intent of this provision to utilize to the fullest
94 practicable extent the balance of monies in the Local System
95 Bridge Replacement and Rehabilitation Fund on hand at all times.

96 **SECTION 2.** This act shall take effect and be in force from
97 and after its passage.

