

By: Representatives Barton, Bennett, Haney

To: Appropriations

HOUSE BILL NO. 660

1 AN ACT TO AMEND SECTIONS 57-119-9 AND 57-119-11, MISSISSIPPI
2 CODE OF 1972, TO PROVIDE THAT PUBLIC SCHOOLS ARE ELIGIBLE FOR
3 ASSISTANCE FOR PROJECTS FROM THE GULF COAST RESTORATION FUND; TO
4 AMEND SECTION 57-119-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT
5 THE PERCENTAGE LIMITATION ON ASSISTANCE THAT MAY BE PROVIDED FROM
6 THE GULF COAST RESTORATION FUND FOR THE COST OF ANY PROJECT SHALL
7 NOT APPLY TO PROJECTS OF CERTAIN PUBLIC ENTITIES; AND FOR RELATED
8 PURPOSES.

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

10 **SECTION 1.** Section 57-119-9, Mississippi Code of 1972, is
11 amended as follows:

12 57-119-9. (1) Applicants who are eligible for assistance
13 under this section include, but are not limited to, local units of
14 government, nongovernmental organizations, institutions of higher
15 learning, community colleges, public schools, ports, airports,
16 public-private partnerships, private for-profit entities, private
17 nonprofit entities and local economic development entities.

18 Projects that are eligible for assistance under this section are
19 projects that have the potential to generate increased economic
20 activity in the region, as described in Section 57-119-11(3).



21 (2) MDA shall establish criteria, rules, and procedures for
22 accepting and reviewing applications for assistance under this
23 section. MDA, with advice from the Gulf Coast Restoration Fund
24 Advisory Board, shall review, compile and score all timely
25 received applications, and shall present the applications and its
26 recommendations for assistance to individual projects under this
27 section to the Legislature no later than December 1 of the year.
28 The Legislature shall determine individual projects that will be
29 funded under this section by separate line items in an
30 appropriation bill.

31 (3) Applications for assistance under this section will be
32 received through web portals set up by MDA. MDA shall set
33 criteria for the web portal which may include protection of the
34 confidentiality of any or all of the applications.

35 (4) The project described in paragraph (m) of Section 18,
36 Chapter 106, Laws of 2020 (Senate Bill No. 2977), to assist George
37 County with a rail connection project, shall not be required to
38 meet the criteria established by the Mississippi Development
39 Authority for the selection and recommendation of projects under
40 this section in order to receive the funds allocated for that
41 project under Chapter 106.

42 **SECTION 2.** Section 57-119-11, Mississippi Code of 1972, is
43 amended as follows:

44 57-119-11. (1) MDA is further authorized, on such terms and
45 conditions consistent with the criteria set forth in this section



46 as it may determine, to establish programs for making loans, loan
47 guarantees, grants and any other financial assistance from the
48 GCRF to applicants whose projects are approved for assistance
49 under this section. MDA shall establish criteria, rules and
50 procedures for accepting, reviewing, granting or denying
51 applications, and for terms and conditions of financial assistance
52 under this section in accordance with state law. The Legislature
53 shall appropriate monies from the GCRF to the MDA to fund the
54 programs established under this section in an amount requested
55 annually by MDA for such purpose.

56 (2) Applicants who are eligible for assistance under this
57 section include, but are not limited to, local units of
58 government, nongovernmental organizations, institutions of higher
59 learning, community colleges, public schools, ports, airports,
60 public-private partnerships, private for-profit entities, private
61 nonprofit entities, and local economic development entities.

62 (3) MDA shall establish programs and an application process
63 to provide assistance to applicants under this section that
64 prioritize:

65 (a) Projects that will impact the long-term
66 competitiveness of the region and may result in a significant
67 positive impact on tax base, private sector job creation and
68 private sector investment in the region;

69 (b) Projects that demonstrate the maximum long-term
70 economic benefits and long-term growth potential of the region



71 based on a financial analysis such as a cost-benefit analysis or a
72 return-on-investment analysis;

73 (c) Projects that demonstrate long-term financial
74 sustainability, including clear performance metrics, over the
75 duration of the project;

76 (d) Projects that leverage or encourage leveraging of
77 other private sector, local, state and federal funding sources
78 with preference to projects that can demonstrate contributions
79 from other sources than funds from the BP settlement;

80 (e) Projects that are supported by multiple government
81 or private sector entities;

82 (f) Projects that can move quickly and efficiently to
83 the design, engineering, and permitting phase;

84 (g) Projects that enhance the quality of life/place and
85 business environment of the region, including tourism and
86 recreational opportunities;

87 (h) Projects that expand the region's ability to
88 attract high-growth industries or establish new high-growth
89 industries in the region;

90 (i) Projects that leverage or further enhance key
91 regional assets, including educational institutions, research
92 facilities, ports, airports, rails and military bases;

93 (j) Projects that are transformational for the future
94 of the region but create a wider regional impact;



95 (k) Projects that enhance the marketability of existing
96 industrial properties;

97 (l) Projects that enhance a targeted industry cluster
98 or create a Center of Excellence unique to the region;

99 (m) Infrastructure projects for business retention and
100 development;

101 (n) Projects that enhance research and innovative
102 technologies in the region; and

103 (o) Projects that provide outcome and return on
104 investment measures, to be judged by clear performance metrics,
105 over the duration of the project or program.

106 **SECTION 3.** Section 57-119-13, Mississippi Code of 1972, is
107 amended as follows:

108 57-119-13. (1) Assistance provided under this chapter may
109 not be used to finance one hundred percent (100%) of the cost of
110 any project; however, this limitation shall not apply to projects
111 for local units of government, state institutions of higher
112 learning, public community colleges, public schools,
113 government-owned ports and government-owned airports.

114 (2) Contracts executed by MDA with recipients of assistance
115 under this chapter must include provisions requiring a performance
116 report on the contracted activities, must account for the proper
117 use of funds provided under the contract, and must include
118 provisions for recovery of assistance if the assistance was based
119 upon fraudulent information or the recipient of the assistance is



120 not meeting the performance requirements established by MDA of the
121 assistance. Recipients of assistance under this chapter must
122 regularly report to MDA the status of the project on a schedule
123 determined by MDA.

124 **SECTION 4.** This act shall take effect and be in force from
125 and after July 1, 2022.

