

By: Representatives Yates, Gibbs (72nd),
Holloway, Crudup, Summers, Foster, Clarke,
Brown (70th), Banks, Bell (65th)

To: Ways and Means

HOUSE BILL NO. 1031

1 AN ACT TO PROVIDE THAT THE DEPARTMENT OF FINANCE AND
2 ADMINISTRATION SHALL DEVELOP A COMPREHENSIVE PLAN FOR IMPROVEMENTS
3 TO THE CITY OF JACKSON'S WATER AND SEWER SYSTEMS IN CONSULTATION
4 WITH THE CAPITAL CITY WATER/SEWER PROJECTS ADVISORY COMMITTEE; TO
5 AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO EMPLOY
6 PERSONS NECESSARY FOR THE PROPER SUPERVISION AND ADMINISTRATION OF
7 IMPROVEMENT PROJECTS FUNDED UNDER THIS ACT; TO CREATE THE CAPITAL
8 CITY WATER/SEWER PROJECTS ADVISORY COMMITTEE AND PROVIDE FOR ITS
9 MEMBERSHIP; TO CREATE THE CAPITAL CITY WATER/SEWER PROJECTS FUND
10 AS A SPECIAL FUND IN THE STATE TREASURY AND TO PROVIDE FOR THE USE
11 OF MONIES IN THE FUND; AND FOR RELATED PURPOSES.

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

13 **SECTION 1.** (1) (a) The Department of Finance and
14 Administration shall develop and adopt a comprehensive plan for
15 projects in consultation with the Capital City Water/Sewer
16 Projects Oversight Committee. Projects shall be coordinated with
17 the City of Jackson, Mississippi, to the greatest extent possible.
18 Projects undertaken under this section shall comport with the
19 comprehensive plan and shall not be subject to approvals, permits
20 or fees assessed by the City of Jackson. The plan may be updated
21 at any time and shall be completely updated every five (5) years.
22 For the purposes of this section, "projects" means construction,



23 reconstruction, repairs, upgrades and improvements to the City of
24 Jackson's water and sewer systems and related facilities.

25 (b) The Department of Finance and Administration shall
26 implement, supervise and administer projects paid for with funds
27 from the Capital City Water/Sewer Projects Fund, and may accept
28 funds and services from other sources to use for the purposes
29 provided in this section.

30 (c) Subject to the limitation on funds provided for in
31 subsection (2) of this section, the Department of Finance and
32 Administration may employ persons necessary for the proper
33 implementation, supervision and administration of projects funded,
34 in whole or in part, by funds from the Capital City Water/Sewer
35 Projects Fund.

36 (d) The Department of Finance and Administration shall
37 post the comprehensive plan and any updates on its website as well
38 as an annual status report of all projects funded under this
39 section.

40 (2) (a) There is created in the State Treasury a special
41 fund, to be designated as the "Capital City Water/Sewer Projects
42 Fund", which shall consist of funds appropriated or otherwise made
43 available by the Legislature in any manner and funds from any
44 other source designated for deposit into such fund. The fund
45 shall be maintained by the State Treasurer as a separate and
46 special fund, separate and apart from the General Fund of the
47 state. Unexpended amounts remaining in the fund at the end of a



fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund. However, any unexpended amounts remaining in the fund on January 1, 2027, shall lapse into the State General Fund.

(b) Except as otherwise provided in this paragraph (b), monies in the fund shall be used by the Department of Finance and Administration, upon appropriation by the Legislature, for projects in accordance with the comprehensive plan described in subsection (1) of this section. In addition to fully funding projects, monies in the fund may be used to fund a portion of a project in cases in which other funds are available for a project and may be used as leverage or matching funds for projects that comport with the comprehensive plan. An amount not to exceed five percent (5%) of the monies deposited into the fund may be used, upon appropriation by the Legislature, to reimburse the Department of Finance and Administration for costs incurred for purposes described in subsection (1)(c) of this section, services and other expenses the department incurs in performing its duties under this section.

(3) (a) There is created the Capital City Water/Sewer Projects Advisory Committee composed of the following nine (9) members:

(i) The Mayor of the City of Jackson or his or her designee;



(ii) One (1) member appointed by the City Council of the City of Jackson with an initial term of one (1) year and subsequent regular terms of four (4) years;

(iii) Two (2) members appointed by the Governor, one (1) for an initial term of two (2) years and one (1) for an initial term of four (4) years, both with subsequent regular terms of four (4) years;

(iv) One (1) member appointed by the Lieutenant Governor for an initial term of four (4) years and subsequent regular terms of four (4) years;

(v) One (1) member appointed by the Speaker of the House of Representatives for an initial term of two (2) years and subsequent regular terms of four (4) years;

(vi) The Executive Director of the Mississippi Department of Environmental Quality;

(vii) The State Health Officer; and

(viii) The Director of the City of Jackson Department of Public Works or his or her designee.

The member appointed under subparagraph (ii) of this paragraph (a) shall be a resident of the City of Jackson in Hinds County.

(b) Members appointed to the committee shall not also serve as members of the commission established by the City of Jackson pursuant to Section 27-65-241. Appointed members shall serve without compensation at the will and pleasure of the appointing authority.



98 (c) The committee shall elect a chairman and such other
99 officers as it considers necessary from among its members.

100 (d) A majority of the members of the committee shall
101 constitute a quorum for the conduct of meetings and all actions of
102 the committee shall be by a majority vote.

103 (e) The committee shall consult with the Department of
104 Finance and Administration and advise the department in the
105 development of comprehensive plans for projects and any changes to
106 such plans.

107 (f) The committee shall meet, subject to call by the
108 Executive Director of the Department of Finance and
109 Administration, at least quarterly to conduct business.

110 (g) The committee shall be dissolved on January 1,
111 2027.

112 (4) The Department of Finance and Administration shall make
113 commercially reasonable efforts to place out for bid, such that
114 Mississippi contractors and Mississippi Disadvantaged Business
115 Enterprises ("DBEs") shall have an equal opportunity to respond to
116 such bid, any contract by the department which (a) is subject to
117 tax pursuant to Section 27-65-21 (i.e., contracts for
118 constructing, building, erecting, grading, excavating, etc.), and
119 (b) will be paid, or payment thereunder by the department will be
120 reimbursed, using any portion of the funds in the Capital City
121 Water/Sewer Projects Fund. In carrying out such efforts, in order
122 to increase the pool of qualified DBE bidders, the department will



123 request that successful prime contract bidders include in their
124 response a commitment to (a) participate in and/or host forums
125 that highlight subcontract bidding opportunities for DBEs; and (b)
126 work with various trade associations and the Mississippi
127 Development Authority to promote increased participation from
128 DBEs.

129 (5) This section shall stand repealed on January 1, 2027.

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

