

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

To: Ways and Means

HOUSE BILL NO. 1031
(As Sent to Governor)

1 AN ACT TO CREATE THE CAPITAL CITY WATER/SEWER PROJECTS FUND
2 AS A SPECIAL FUND IN THE STATE TREASURY TO BE ADMINISTERED BY THE
3 DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF
4 PROVIDING FUNDS TO ASSIST THE CITY OF JACKSON, MISSISSIPPI, IN
5 PAYING COSTS ASSOCIATED WITH CONSTRUCTION, RECONSTRUCTION,
6 REPAIRS, UPGRADES AND IMPROVEMENTS TO THE CITY OF JACKSON'S WATER
7 AND SEWER SYSTEMS AND RELATED FACILITIES; TO PROVIDE THAT IF THE
8 CITY OF JACKSON DESIRES ASSISTANCE UNDER THIS ACT, THE CITY MUST
9 ESTABLISH A PLAN FOR THE PROJECT OR PROJECTS FOR WHICH IT DESIRES
10 ASSISTANCE AND SUBMIT THE PLAN AND AN APPLICATION FOR ASSISTANCE
11 TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO PROVIDE THAT
12 IF THE DEPARTMENT OF FINANCE AND ADMINISTRATION PROVIDES
13 ASSISTANCE TO THE CITY OF JACKSON UNDER THIS ACT, THE CITY SHALL
14 PROVIDE QUARTERLY REPORTS TO THE DEPARTMENT OF FINANCE AND
15 ADMINISTRATION DESCRIBING THE RECEIPT AND EXPENDITURE OF SUCH
16 ASSISTANCE, THE STATUS OF THE PROJECT OR PROJECTS AND ANY OTHER
17 INFORMATION REQUIRED BY THE DEPARTMENT; AND FOR RELATED PURPOSES.

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

19 **SECTION 1.** (1) As used in this section, the following words
20 and phrases shall have the meanings ascribed in this section
21 unless the context clearly indicates otherwise:

22 (a) "Department" means the Department of Finance and
23 Administration.

24 (b) "Governing authorities" means the governing
25 authorities of the City of Jackson, Mississippi.



26 (c) "Project" or "projects" means construction,
27 reconstruction, repairs, upgrades and improvements to the City of
28 Jackson's water and sewer systems and related facilities.

29 (2) (a) There is created in the State Treasury a special
30 fund, to be designated as the "Capital City Water/Sewer Projects
31 Fund," which shall consist of funds appropriated or otherwise made
32 available by the Legislature in any manner and funds from any
33 other source designated for deposit into such fund. The fund
34 shall be maintained by the State Treasurer as a separate and
35 special fund, separate and apart from the General Fund of the
36 state. Unexpended amounts remaining in the fund at the end of a
37 fiscal year shall not lapse into the State General Fund, and any
38 interest earned or investment earnings on amounts in the fund
39 shall be deposited into such fund. However, any unexpended
40 amounts remaining in the fund on January 1, 2027, shall lapse into
41 the State General Fund.

42 (b) Except as otherwise provided in this paragraph (b),
43 monies in the fund shall be used by the department, upon
44 appropriation by the Legislature, for the purpose of providing
45 funds to assist the City of Jackson in paying costs associated
46 with projects. An amount not to exceed one percent (1%) of the
47 monies deposited into the fund may be used, upon appropriation by
48 the Legislature, to reimburse the department for reasonable actual
49 and necessary costs incurred by the department in performing its
50 duties under this section.



51 (3) (a) If the governing authorities desire assistance
52 under this section, the governing authorities must establish a
53 plan for the project or projects for which the governing
54 authorities desire assistance and submit the plan and an
55 application for assistance to the department. The plan shall
56 include at least the following:

57 (i) A description of the project or projects for
58 which the assistance is requested, including the projected cost of
59 the project or projects;

60 (ii) The projected starting date and completion
61 date for the project or projects;

62 (iii) A description of any funds from other
63 sources that may be available to the City of Jackson to assist
64 with paying the costs of the project or projects; and

65 (iv) Any other information required by the
66 department.

67 (b) The department shall review the application and
68 determine whether to approve the assistance requested, and if
69 approved, whether to provide the assistance in whole or in part.
70 In addition to using assistance received under this section to
71 fully fund a project or projects, the governing authorities may
72 use the assistance to fund a portion of a project or projects in
73 cases in which other funds are available for the project or
74 projects and may be used as leverage or matching funds for the
75 project or projects. If the department provides assistance for a



76 project or projects under this section, the governing authorities
77 shall provide quarterly reports to the department describing the
78 receipt and expenditure of such assistance, the status of the
79 project or projects and any other information required by the
80 department.

81 (4) The department shall have all powers necessary to
82 implement and administer the provisions of this section, and the
83 department shall promulgate rules and regulations, in accordance
84 with the Mississippi Administrative Procedures Law, necessary for
85 the implementation of this section.

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

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

