

By: Representatives Byrd, Faulkner, Anderson To: County Affairs
(110th)

HOUSE BILL NO. 1211
(As Passed the House)

1 AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY
2 AND THE GOVERNING AUTHORITIES OF ANY MUNICIPALITY TO WORK
3 COOPERATIVELY, BY AGREEMENT, WHEN UTILIZING FUNDS FROM THE
4 AMERICAN RESCUE PLAN ACT (ARPA), CORONAVIRUS AID, RELIEF AND
5 ECONOMIC SECURITY (CARES) ACT OR THE INFLATION REDUCTION ACT; TO
6 AMEND SECTION 19-11-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE
7 THE BOARD OF SUPERVISORS OF ANY COUNTY TO EXPEND OR CONTRACT AN
8 OBLIGATION AGAINST CERTAIN FUNDS IN THE LAST SIX MONTHS OF THEIR
9 TERM OFFICE IF A COUNTY HAS PROJECTS OR A PROJECT FUNDED BY ARPA,
10 THE CARES ACT OR THE INFLATION REDUCTION ACT SO THAT SUCH COUNTY
11 MAY WORK TOWARDS COMPLETING SUCH PROJECTS OR PROJECT TO MEET THE
12 FEDERAL SPENDING DEADLINE; TO AMEND SECTION 21-35-27, MISSISSIPPI
13 CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; NOTWITHSTANDING
14 THE PROVISIONS OF SECTION 19-5-22, IF THE TAX COLLECTOR DETERMINES
15 THAT THE DELINQUENCY NOTICE ATTACHED TO THE PERSON ATTEMPTING TO
16 BE ISSUED OR RENEW A MOTOR VEHICLE ROAD AND BRIDGE PRIVILEGE
17 LICENSE IS A RESULT OF THE PREVIOUS OWNER OF THE PROPERTY WHO
18 ALLOWED THE GARBAGE FEES TO ACCRUE AND BECOME DELINQUENT, THEN
19 SUCH TAX COLLECTOR MAY ISSUE OR RENEW THE PERSON'S MOTOR VEHICLE
20 ROAD AND BRIDGE PRIVILEGE LICENSE; AND FOR RELATED PURPOSES.

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

22 **SECTION 1.** The board of supervisors of any county and the
23 governing authorities of any municipality are authorized to work
24 cooperatively on projects, by agreement spread upon their minutes,
25 when utilizing Coronavirus State Fiscal Recovery Funds from the
26 American Rescue Plan Act (ARPA) of 2021, Coronavirus Relief Fund
27 established in Section 5001 of the Coronavirus Aid, Relief and



28 Economic Security (CARES) Act and funds from the Inflation
29 Reduction Act of 2022. Unless prohibited by federal law, such
30 agreement shall be applicable if it is legal for the county or the
31 municipality, as the case may be, to utilize such funds.

32 **SECTION 2.** Section 19-11-27, Mississippi Code of 1972, is
33 amended as follows:

34 19-11-27. No board of supervisors of any county shall expend
35 from, or contract an obligation against, the budget estimates for
36 road and bridge construction, maintenance and equipment, made and
37 published by it during the last year of the term of office of such
38 board, between the first day of October and the first day of the
39 following January, a sum exceeding one-fourth (1/4) of such item
40 of the budget made and published by it, except in cases of
41 emergency. The clerk of any county is prohibited from issuing any
42 warrant contrary to the provisions of this section. No board of
43 supervisors nor any member thereof shall buy any machinery or
44 equipment in the last six (6) months of their or his term unless
45 or until he has been elected at the general election of that year.
46 The provisions of this section shall not apply to (i) projects of
47 any type that receive monies from the Local System Bridge
48 Replacement and Rehabilitation Program, the Emergency Road and
49 Bridge Repair Fund, the 2018 Transportation and Infrastructure
50 Improvement Fund or the Gulf Coast Restoration Fund * * *, (ii) to
51 expenditures on deficient bridges in the State Aid Road System or
52 the Local System Road Program that have been deemed to be a



53 deficient bridge as defined in Section 65-37-3, (iii) projects
54 funded by the American Rescue Plan Act, CARES Act, or the
55 Inflation Reduction Act, or (iv) to a contract, lease or
56 lease-purchase contract executed pursuant to the bidding
57 requirements in Section 31-7-13 and approved by a unanimous vote
58 of the board. Such unanimous vote shall include a statement
59 indicating the board's proclamation that the award of the contract
60 is essential to the efficiency and economy of the operation of the
61 county government.

62 **SECTION 3.** Section 21-35-27, Mississippi Code of 1972, is
63 amended as follows:

64 21-35-27. No board of governing authorities of any
65 municipality shall expend from, or contract an obligation, against
66 the budget made and published by it during the last year of the
67 term of office of such governing authorities, between the first
68 day of April and the first day of the following July that is not
69 on a weekend, a sum exceeding one-fourth (1/4) of any item of the
70 budget made and published by it, except in cases of emergency
71 provided for in Section 21-35-19. The city clerk of any
72 municipality is hereby prohibited from issuing any warrant
73 contrary to the provisions of this section.

74 The provisions of this section shall not apply to a contract,
75 lease or lease-purchase contract entered into pursuant to Section
76 31-7-13 or to seasonal purchases or expenditures or to any
77 agreement entered into under Section 1 of this act.



78 Notwithstanding the provisions of Section 19-5-22, if the tax
79 collector determines that the delinquency notice attached to the
80 person attempting to be issued or renew a motor vehicle road and
81 bridge privilege license is a result of the previous owner of the
82 property who allowed the garbage fees to accrue and become
83 delinquent, then such tax collector may issue or renew the
84 person's motor vehicle road and bridge privilege license.

85 **SECTION 4.** This act shall take effect and be in force from
86 and after its passage.

