

By: Senator(s) Harkins

To: Appropriations

SENATE BILL NO. 2457

1 AN ACT TO ENACT THE REPAIR OUR INFRASTRUCTURE (ROI) ACT; TO
 2 STATE LEGISLATIVE FINDINGS AND INTENT; TO DEFINE TERMS; TO
 3 ESTABLISH THE REPAIR OUR INFRASTRUCTURE (ROI) PROGRAM WITHIN THE
 4 DEPARTMENT OF FINANCE AND ADMINISTRATION IN ORDER TO DISTRIBUTE
 5 INFRASTRUCTURE FUNDS TO THE MUNICIPALITIES AND COUNTIES IN THIS
 6 STATE; TO DIRECT MUNICIPALITIES TO EXPEND THE MONIES RECEIVED
 7 UNDER THIS ACT TO PAY FOR REPAIR TO ROADS, STREET, BRIDGES, WATER
 8 INFRASTRUCTURE, STORMWATER INFRASTRUCTURE AND/OR SEWER
 9 INFRASTRUCTURE; TO DIRECT COUNTIES TO EXPEND THE MONIES RECEIVED
 10 UNDER THIS ACT TO PAY FOR REPAIR TO ROADS, STREETS, BRIDGES AND/OR
 11 STORMWATER INFRASTRUCTURE; TO SET OUT THE FORMULAS BY WHICH THE
 12 DEPARTMENT IS TO DISTRIBUTE THE FUNDS UNDER THE PROGRAM; TO
 13 PROVIDE THAT THE DEPARTMENT OF AUDIT SHALL HAVE THE NECESSARY
 14 POWERS AND IT SHALL BE THE DUTY OF THE DEPARTMENT OF AUDIT TO
 15 AUDIT ANY FUNDS DISTRIBUTED TO ANY MUNICIPALITY OR ANY COUNTY
 16 UNDER THIS ACT; AND FOR RELATED PURPOSES.

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

18 **SECTION 1.** This act shall be known and may be cited as the
 19 "Repair Our Infrastructure (ROI) Act."

20 **SECTION 2.** (1) The Legislature finds:

21 (a) That reliable infrastructure is critically
 22 important to the health of the economy and the state as a whole;

23 (b) That investment in infrastructure benefits all
 24 areas of the economy from transportation, health care and



25 education to opportunities for employment, recreation and tourism;
26 and

27 (c) That local government is uniquely positioned to
28 assess the needs of their communities and efficiently address
29 those needs.

30 (2) Therefore, it is the intent of the Legislature to
31 promote the development of local infrastructure projects that
32 serve the needs of the public.

33 **SECTION 3.** As used in this act, the following terms have the
34 meaning herein ascribed unless the context clearly requires
35 otherwise:

36 (a) "County distribution formula" means the formula
37 provided in Section 6(2) of this act.

38 (b) "Department" means the Department of Finance and
39 Administration.

40 (c) "Municipal distribution formula" means the formula
41 provided in Section 6(1) of this act.

42 (d) "Program" means the Repair Our Infrastructure
43 Program established in Section 4 of this act.

44 **SECTION 4.** (1) There is established the Repair Our
45 Infrastructure (ROI) Program within the Department of Finance and
46 Administration to distribute infrastructure funds to the
47 municipalities and counties of the state.

48 (2) Of the funds appropriated to the program, the department
49 shall distribute:



50 (a) One-half (1/2) to the municipalities according to
51 the municipal distribution formula; and

52 (b) One-half (1/2) to the counties according to the
53 county distribution formula.

54 (2) The department shall distribute the monies under this
55 act no later than August 1, 2023.

56 **SECTION 5.** (1) A municipality shall expend the monies
57 received from the department under this act in paying costs
58 associated with:

59 (a) The repair, maintenance and reconstruction of
60 roads, streets and bridges in municipalities; and/or

61 (b) The repair, maintenance and other improvements to
62 water infrastructure, stormwater infrastructure and sewer
63 infrastructure belonging to, maintained by, or used by the
64 municipality.

65 (2) A county shall expend the monies received from the
66 department under this act in paying costs associated with:

67 (a) The repair, maintenance and reconstruction of
68 roads, streets and bridges in counties; and/or

69 (b) The repair, maintenance and other improvements to
70 stormwater infrastructure belonging to, maintained by, or used by
71 the county.

72 **SECTION 6.** (1) The municipal distribution formula shall be
73 as follows:



74 (a) Three Million Dollars (\$3,000,000.00) shall be
75 allocated to all municipalities in equal shares; and

76 (b) The remainder of the funds shall be allocated as
77 follows:

78 (i) One-half (1/2) shall be allocated to
79 municipalities based on the proportion that the population of a
80 municipality according to the most recent federal decennial census
81 bears to the total population of all municipalities in the state
82 according to the most recent federal decennial census, and

83 (ii) One-half (1/2) shall be allocated to
84 municipalities based on the proportion that the amount of sales
85 tax revenue distributed to a municipality during the preceding
86 fiscal year under Section 27-65-75(1)(a) bears to the total amount
87 of sales tax revenue distributed to all municipalities during the
88 preceding fiscal year under Section 27-65-75(1)(a).

89 (2) The county distribution formula shall be as follows:

90 (a) One-third (1/3) shall be allocated to all counties
91 in equal shares;

92 (b) One-third (1/3) shall be allocated to counties
93 based on the proportion that the total number of rural road miles
94 in a county bears to the total number of rural road miles in all
95 counties of the state; and

96 (c) One-third (1/3) shall be allocated to counties
97 based on the proportion that the rural population of a county
98 bears to the total rural population in all counties of the state,



99 according to the latest federal decennial census. Rural road
100 miles and rural road population in the counties shall be
101 determined in the same manner as they are determined for the
102 purposes of the distribution formula in Section 65-9-3.

103 (3) The Department of Revenue and the Department of
104 Transportation shall coordinate with the department in
105 implementing the formulas provided in this section if requested by
106 the department.

107 **SECTION 7.** The Department of Audit shall have the necessary
108 powers and it shall be the duty of the Department of Audit to
109 audit any funds distributed to any municipality or any county
110 under this act.

111 **SECTION 8.** This act shall take effect and be in force from
112 and after July 1, 2023.

