

By: Representative Roberson

To: Local and Private
Legislation

HOUSE BILL NO. 4117

1 AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF
 2 STARKVILLE, MISSISSIPPI, TO REQUEST THAT THE PUBLIC SERVICE
 3 COMMISSION MAKE CERTAIN INQUIRY AS TO WHETHER ANY RURAL WATER
 4 ASSOCIATION, WHICH PROVIDES WATER SERVICE TO STARKVILLE CITY
 5 RESIDENTS, IS PROVIDING SUCH SERVICE IN AN ADEQUATE MANNER; TO
 6 PROVIDE THAT IF A DETERMINATION IS MADE THAT WATER SERVICE IS NOT
 7 ADEQUATELY PROVIDED, THEN A RURAL WATER ASSOCIATION SHALL BE
 8 REQUIRED TO SELL AND CONVEY ITS WATER ASSETS SO THAT WATER CAN BE
 9 ADEQUALITY SUPPLIED TO STARKVILLE CITY RESIDENTS; AND FOR RELATED
 10 PURPOSES.

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

12 **SECTION 1.** (1) As used in this act:

13 (a) "City" means the City of Starkville, Mississippi.

14 (b) "Rural water association" means any nonprofit rural
 15 water association that holds a certificate of public convivence
 16 and necessity to provide water to city residents within the
 17 municipal boundaries of the city.

18 (c) "Governing authorities" mean the Mayor and Board of
 19 Aldermen of the City of Starkville, Mississippi.

20 **SECTION 2.** (1) The governing authorities of the City of
 21 Starkville, Mississippi, are authorized and empowered, to request
 22 the Public Service Commission ascertain whether any rural water



23 association located within the corporate limits of the city has
24 the ability to adequately provide water service within the city.
25 Notwithstanding the provisions of Sections 21-25-51 through 21-25-
26 59, Mississippi Code of 1972, in the event that a determination is
27 made, pursuant to subsection (1) of this section, that a rural
28 water association is not able to provide adequate water service
29 within the city limits, then the city is authorized to require
30 such water association to enter to a negotiated agreement for the
31 sell of the association's water assets to the city, and the
32 association shall be compensated as provided under this act.

33 (2) In the event a determination is made that a rural water
34 association is unable to provide adequate water service, the rural
35 water association shall sell and convey any water assets to the
36 city that the city deems necessary for it to supply its residents
37 with adequate water. These assets shall include, without
38 limitation, main water lines, service lines to residential
39 buildings, meters, and any other assets located are owned by a
40 rural water association and used for the purpose of delivering
41 water, which the city has determined are necessary or useful to
42 provide its residents with water. The city shall pay the rural
43 water association fair market value for such assets, which value
44 shall be determined by an independent appraisal conducted by an
45 appraiser of the city's choosing.

46 **SECTION 3.** This act shall take effect and be in force from
47 and after its passage.

