

By: Senator(s) McCaughn, Jordan, Butler

To: Tourism

SENATE BILL NO. 2696
(As Passed the Senate)

1 AN ACT TO AMEND SECTIONS 57-78-3 AND 57-78-5, MISSISSIPPI
2 CODE OF 1972, TO TRANSFER THE ADMINISTRATION OF THE MISSISSIPPI
3 MAIN STREET REVITALIZATION GRANT PROGRAM FROM THE MISSISSIPPI
4 DEVELOPMENT AUTHORITY TO THE DEPARTMENT OF FINANCE AND
5 ADMINISTRATION; TO EXPAND GRANT PROGRAM ELIGIBILITY; TO ALLOW
6 APPLICANTS WHO DID NOT RECEIVE A GRANT THE PRIOR YEAR TO TAKE
7 PRIORITY FOR GRANTS GRANTED THE FOLLOWING YEAR; TO AMEND THE
8 EASEMENT REQUIREMENTS FOR GRANTEES; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 57-78-1, Mississippi Code of 1972, is
11 brought forward as follows:

12 57-78-1. This act shall be known and may be cited as the
13 "Mississippi Main Street Revitalization Grant Program Act."

14 **SECTION 2.** Section 57-78-3, Mississippi Code of 1972, is
15 amended as follows:

16 57-78-3. The Mississippi Main Street Revitalization Grant
17 Program Act will authorize the Legislature, as well as the * * *
18 Department of Finance and Administration through appropriations by
19 the Legislature, to make grants available to * * * eligible
20 recipients for projects leading to the revitalization of
21 Mississippi's downtowns or communities.



22 **SECTION 3.** Section 57-78-5, Mississippi Code of 1972, is
23 amended as follows:

24 57-78-5. (1) For the purposes of this section:

25 (a) "Eligible recipient" means a:

26 (i) Main Street Designated Community, or local
27 Main Street program that has achieved and maintained Designated
28 Community Status by the Mississippi Main Street Association
29 (MMSA), that is a good-standing member of the MMSA, has obtained
30 Section 501(c) (3) tax-exempt status or Section 501(c) (6)
31 tax-exempt status from the Internal Revenue Service * * *;

32 (ii) Main Street * * * Network Community * * *;

33 (iii) Main Street Associate Community;

34 (iv) Cities located in Mississippi that otherwise
35 meet the requirements of this act; or

36 (v) Business improvement districts that otherwise
37 meet the requirements of this act.

38 * * *

39 (* * * b) "Matching funds" means cash funds that are
40 either in the applicant's possession or proposed by a match
41 partner and clearly identified in a support letter and are
42 reserved for the proposed project. No state funds may be included
43 in determining the amount of the match.

44 (* * * c) " * * * Administrator" means the Mississippi
45 Main Street Association.



46 (2) The * * * administrator shall accept applications from
47 eligible recipients, prioritize their applications and submit a
48 list of suggested recipients to the Legislature no later than
49 December of each year. Applicants who did not receive an award
50 the prior year shall receive priority for a grant the following
51 year. * * * The Legislature shall review the submitted list and
52 determine the projects for which to award grants to eligible
53 recipients through the * * * Department of Finance and
54 Administration in an appropriation bill. The * * * administrator
55 will consider projects in relation to the following criteria:
56 (a) The demonstration of local financial need;
57 (b) Projects that demonstrate high local impact;
58 (c) Projects that produce a high level of public
59 benefit;
60 (d) Projects that demonstrate best practices in
61 preservation;
62 (e) Projects that will have local administration and
63 implementation capacity;
64 (f) The distribution of geographic size and location of
65 the project;
66 (g) Projects that will be completed on time; and
67 (h) * * * Projects that are according to the Main
68 Street Approach and Guiding Principles or a comparable community
69 plan.



70 (3) The * * * Department of Finance and Administration shall
71 provide grant funds to the * * * eligible recipients under this
72 section on a reimbursement basis, not to exceed Five Hundred
73 Thousand Dollars (\$500,000.00) per community each year, and
74 grantees shall not receive compensation for their required twenty
75 percent (20%) of local match funds, which must cover at least
76 twenty percent (20%) of the total project cost. * * *

77 Municipalities with a population of over ten thousand (10,000) are
78 required to possess local matching funds to cover at least twenty
79 percent (20%) of the total project cost. Municipalities with a
80 population of less than ten thousand (10,000), shall be required
81 to have a local cash match of ten percent (10%) for the first One
82 Hundred Thousand Dollars (\$100,000.00) requested, then will be
83 required to have a local cash match of twenty percent (20%) for
84 any amount over One Hundred Thousand Dollars (\$100,000.00).

85 (4) Eligible costs for the expenditure of grant funds
86 include the acquisition of land and any improvements thereon,
87 preservation of historic downtown structures and sites, and
88 initiatives that will produce a revitalization to the economy of
89 the historic downtown areas.

90 (5) Grants may be awarded for prospective purchases or for
91 acquisitions of which the applicant has closed. In the latter
92 case, the applicant shall demonstrate:

93 (a) The closing occurred no more than twelve (12)
94 months prior to the date of application for the grant; and



95 (b) The subject purchase was made to help preserve and
96 revitalize the location and economy of a historic downtown
97 community.

98 (6) * * * Applicants must contact the Mississippi Department
99 of Archives and History as part of the application process to
100 determine if the property they have acquired or wish to acquire is
101 eligible for or already listed in the National Register of
102 Historic Places ("historic"). Properties will be evaluated, and
103 historic eligibility will be determined by the Mississippi
104 Department of Archives and History using the National Register of
105 Historic Places Criteria for Evaluation.

106 (a) All organizations that are awarded a grant for a
107 project involving a historic property shall grant an easement on
108 that property that will place reasonable restrictions on the use
109 or development of the land and building(s).

110 (i) The Mississippi Department of Archives and
111 History shall be the easement holder for all historic downtown
112 properties. Any eligible historic downtown property will require
113 an executed easement with a term limit based on the awarded grant
114 amount. Projects receiving One Dollar (\$1.00) to Two Hundred
115 Fifty Thousand Dollars (\$250,000.00) will require a ten-year
116 minimum preservation easement and Two Hundred Fifty Thousand One
117 Dollars (\$250,001.00) to Five Hundred Thousand Dollars
118 (\$500,000.00) will require a fifteen-year minimum preservation
119 easement.



120 (ii) In cases where the easement is granted to a
121 holder other than the Mississippi Department of Archives and
122 History, all terms and conditions of the easement shall be
123 reviewed by and found by the Mississippi Department of Archives
124 and History to accomplish the preservation of the historic
125 downtown property. Such other holder shall demonstrate to the
126 Department of Finance and Administration that it has the capacity
127 and expertise to manage and enforce the terms of the easement.

128 (iii) The plans and specifications for any project
129 requiring a preservation easement shall be developed in accordance
130 with the "Secretary of the Interior's Standards for the Treatment
131 of Historic Properties."

132 (b) Any project involving a property that the
133 Mississippi Department of Archives and History has determined to
134 be nonhistoric will not require an easement.

135 (7) Grantees must adhere to Mississippi state procedures and
136 guidelines relating to the implementation and financing of the
137 approved project. Grantees must also submit any and all audit and
138 financial statements as required by the State of Mississippi.

139 (8) Nothing in this section shall preclude the subsequent
140 transfer or assignment by a state agency or other owner or holder
141 of any property interest acquired pursuant to this section to the
142 State of Mississippi, the county, city, town or municipality in
143 which the land is located, for the purpose of further preserving,
144 improving or maintaining the downtown property. The * * *



145 Department of Finance and Administration shall facilitate
146 transfers and assignments of any such interests held by the
147 department.

148 (9) There is created in the State Treasury a special fund to
149 be known as the "Mississippi Main Street Revitalization Grant
150 Program Fund," which shall consist of funds made available by the
151 Legislature in any manner, funds received as grants, endowments or
152 gifts from the federal government, its agencies and
153 instrumentalities, and funds from any other source designated for
154 deposit into such fund. The fund shall be maintained by the State
155 Treasurer as a separate and special fund, separate and apart from
156 the General Fund of the state. Unexpended amounts remaining in
157 the fund at the end of a fiscal year shall not lapse into the
158 State General Fund, and any investment earnings or interest earned
159 on amounts in the fund shall be deposited to the credit of the
160 fund. Monies in the fund shall be used by the * * * Department of
161 Finance and Administration, upon appropriation by the Legislature,
162 for the purposes provided in this section.

163 (10) The * * * Department of Finance and Administration
164 shall administer the fund and establish guidelines for the
165 expenditure of grant funds and reports relating to the expenditure
166 of grant funds. The department * * * shall provide the
167 administrator with no more than two percent (2%) of the amount of
168 funds deposited into the Mississippi Main Street Revitalization



169 Grant Fund for administrative expenses in carrying out its duties
170 under this section.

171 (11) To carry out this act, the * * * Department of Finance
172 and Administration may enter into cooperative agreements with
173 entities in the public and private sectors, including:

- 174 (a) Colleges and universities;
- 175 (b) Historical societies;
- 176 (c) State and local agencies; and
- 177 (d) Nonprofit organizations.

178 (12) To develop cooperative land-use strategies and conduct
179 activities that facilitate the conservation of the historic,
180 cultural, natural and scenic resources, the * * * Department of
181 Finance and Administration may require that recipients seek and
182 secure technical assistance from the * * * administrator, to the
183 extent that a recipient of technical assistance is engaged in the
184 protection, interpretation or commemoration of historically
185 significant property in the area in and around the historic
186 downtown site. The * * * administrator will provide
187 administrative support to * * * eligible recipients to ensure
188 proper grant administration and project implementation.

189 **SECTION 4.** This act shall take effect and be in force from
190 and after July 1, 2024.

