

**\*\*\*Adopted\*\*\***

**AMENDMENT No. 1 PROPOSED TO**

**House Bill NO. 1335**

**By Senator(s) Committee**

17           **Amend by striking all after the enacting clause and inserting**  
18 **in lieu thereof the following:**

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20           SECTION 1. Section 7-9-151, Mississippi Code of 1972, is  
21 amended as follows:

22           7-9-151. There is hereby established in the State Treasury a  
23 revolving fund to be designated as the "Capital Improvements  
24 Preplanning Fund" which shall consist of monies appropriated or  
25 otherwise made available therefor by the Legislature. Such funds  
26 as may be deposited in the revolving fund may be expended by the  
27 Bureau of Building, Grounds and Real Property Management to obtain  
28 preliminary studies, plans, appraisals, and the purchase of  
29 options on or the acquisition of real property. The bureau shall  
30 consider architectural and aesthetic compatibility in the  
31 preplanning of any project conducted using money from the Capital  
32 Improvements Preplanning Fund.

33           SECTION 2. Section 7-9-153, Mississippi Code of 1972, is  
34 amended as follows:

35           7-9-153. All expenses for preplanning projects authorized by  
36 the Legislature shall be paid upon warrants drawn on the Capital  
37 Improvement Preplanning Fund created pursuant to this act. The  
38 Department of Finance and Administration shall issue warrants upon  
39 requisitions signed by the Director of the Bureau of Building,

40 Grounds and Real Property Management. Such requisitions shall set  
41 forth the name of the project and estimated cost of the project,  
42 and the total of prior expenditures for such project. The  
43 Department of Finance and Administration shall not issue a warrant  
44 against the Capital Improvements Preplanning Fund if the total  
45 amount expended for preliminary study and planning on the project,  
46 excluding the acquisition cost of real property, exceeds five  
47 percent (5%) of the estimated cost of such project.

48 SECTION 3. Section 7-9-155, Mississippi Code of 1972, is  
49 amended as follows:

50 7-9-155. Upon the appropriation of funds or the sale of  
51 bonds to fund any project authorized by the Legislature for which  
52 planning funds have been expended under the provisions of this  
53 act, the Director of the Bureau of Building, Grounds and Real  
54 Property Management shall requisition such amount as has been  
55 expended for preliminary planning to be transferred from the  
56 available funds for such project to the Capital Improvements  
57 Preplanning Fund and the Department of Finance and Administration  
58 shall make such transfer.

59 SECTION 4. Every capital improvements project, costing One  
60 Million Dollars (\$1,000,000.00) or more, which is developed to  
61 repair, renovate, construct, remodel, add to or improve a  
62 state-owned public building shall be funded by the Legislature in  
63 three (3) phases. The three-phase funding requirement shall not  
64 apply to capital improvements projects for a state-owned port or  
65 where the Legislature finds that an emergency or critical need  
66 must be met or a court order complied with. The three (3) phases  
67 shall not be funded in the same regular session of the  
68 Legislature. Each phase shall be funded in a separate regular  
69 session of the Legislature. Phase 1 shall be a preplanned capital  
70 improvements project budget projection for the project and shall  
71 be funded first. Phase 2 shall be the actual repair, renovation,  
72 construction, remodeling, addition to or improvement of the  
73 state-owned public building and shall be funded second. Phase 3,  
74 if necessary, shall be the acquisition of furniture and equipment

75 for the capital improvements project and shall be funded last.

76 SECTION 5. (1) For the purposes of Sections 4 and 5 of this  
77 act, the term "preplanned" or "preplanning" means the preliminary  
78 planning that establishes the program, scope, design and budget  
79 for a capital improvements project.

80 (2) Every state agency that plans to repair, renovate,  
81 construct, remodel, add to or improve a state-owned public  
82 building shall submit a preplanned capital improvements project  
83 budget projection to the Bureau of Building, Grounds and Real  
84 Property Management for evaluation. The bureau shall assess the  
85 need for all preplanned projects submitted and shall compile a  
86 report on its findings. Any capital improvements project costing  
87 under One Million Dollars (\$1,000,000.00) shall not be required to  
88 be preplanned.

89 (3) Upon the completion of any preplanning for a capital  
90 improvements project, if such preplanning is funded with  
91 self-generated funds by a state agency, the plan shall be  
92 submitted to the bureau for evaluation.

93 SECTION 6. This act shall take effect and be in force from  
94 and after its passage.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTIONS 7-9-151, 7-9-153 AND 7-9-155,  
2 MISSISSIPPI CODE OF 1972, TO REVISE THE PURPOSES FOR WHICH FUNDS  
3 IN THE CAPITAL IMPROVEMENTS PREPLANNING FUND MAY BE EXPENDED; TO  
4 INCREASE THE AMOUNT OF FUNDS THAT MAY BE EXPENDED ON THE  
5 PREPLANNING OF A PROJECT; TO PROVIDE THAT STATE CAPITAL  
6 IMPROVEMENTS PROJECTS COSTING ONE MILLION DOLLARS OR MORE SHALL BE  
7 FUNDED BY THE LEGISLATURE IN THREE PHASES; TO DEFINE EACH PHASE;  
8 TO PROVIDE THAT EACH PHASE SHALL BE FUNDED IN SEPARATE REGULAR  
9 SESSIONS OF THE LEGISLATURE; TO EXEMPT CERTAIN PROJECTS FROM SUCH  
10 REQUIREMENTS; TO REQUIRE ALL STATE AGENCIES WHICH PLAN TO  
11 UNDERTAKE A CAPITAL IMPROVEMENTS PROJECT TO SUBMIT A PREPLANNED  
12 CAPITAL IMPROVEMENTS PROJECT PROJECTION TO THE BUREAU OF BUILDING,  
13 GROUNDS AND REAL PROPERTY MANAGEMENT FOR EVALUATION; TO PROVIDE  
14 THAT ANY PROJECT COSTING UNDER ONE MILLION DOLLARS SHALL NOT BE  
15 REQUIRED TO BE PREPLANNED; AND FOR RELATED PURPOSES.