

By: Representative Jennings

To: County Affairs;
Apportionment and Elections

HOUSE BILL NO. 1152

1 AN ACT TO AMEND SECTION 19-13-21, MISSISSIPPI CODE OF 1972,
 2 TO INCREASE THE MAXIMUM AMOUNT THAT MAY BE EXPENDED BY THE BOARD
 3 OF SUPERVISORS OF ANY COUNTY FOR THE REPAIR OF COUNTY VEHICLES,
 4 ROAD MACHINERY OR EQUIPMENT AFTER THE FIRST DAY OF JULY IN THE
 5 LAST YEAR OF A TERM OF OFFICE FOR MEMBERS OF THE BOARD OF
 6 SUPERVISORS; TO AMEND SECTION 23-15-881, MISSISSIPPI CODE OF 1972,
 7 TO INCREASE THE MAXIMUM NUMBER OF PERSONS THAT THE BOARD OF
 8 SUPERVISORS OF ANY COUNTY OR A MEMBER OF A BOARD OF SUPERVISORS
 9 MAY AUTHORIZE DURING AN ELECTION YEAR FOR MEMBERS OF THE BOARD OF
 10 SUPERVISORS TO BE EMPLOYED TO PERFORM ROAD WORK IN THE COUNTY OR A
 11 SUPERVISORS DISTRICT; TO INCREASE THE MAXIMUM AMOUNT OF WAGES OR
 12 OTHER COMPENSATION THAT THE BOARD OF SUPERVISORS OF ANY COUNTY OR
 13 A MEMBER OF A BOARD OF SUPERVISORS MAY AUTHORIZE DURING AN
 14 ELECTION YEAR FOR MEMBERS OF THE BOARD OF SUPERVISORS TO BE PAID
 15 FOR LABOR PERFORMED IN WORKING AND MAINTAINING THE PUBLIC ROADS OF
 16 THE COUNTY OR A SUPERVISORS DISTRICT OF THE COUNTY; AND FOR
 17 RELATED PURPOSES.

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

19 **SECTION 1.** Section 19-13-21, Mississippi Code of 1972, is
 20 amended as follows:

21 19-13-21. The board of supervisors of any county which owns
 22 any tractor, truck, or other road machinery or equipment, or any
 23 district of which owns any such machinery or equipment, may at any
 24 time have the same repaired, or purchase necessary repair parts
 25 therefor, where it is necessary to use such machinery or equipment
 26 in constructing, reconstructing, or maintaining the public roads,
 27 whether or not there is then a sufficient amount in the fund out
 28 of which the cost thereof must be paid to pay the same. The claim
 29 for such repairs or repair parts shall be allowed in due course
 30 when filed, and be paid in its proper order as other claims.
 31 However, if any repairs herein permitted to be made after the
 32 first day of July of the last year of the term of office of the
 33 members of the board making such repairs shall exceed the sum of
 34 Two Thousand Five Hundred Dollars (\$2,500.00), such repairs shall



35 not be made unless and until the board of supervisors, or a
36 majority of the members thereof, shall have authorized the making
37 of such repairs at a regular meeting of such board, or a special
38 meeting called for that purpose.

39 **SECTION 2.** Section 23-15-881, Mississippi Code of 1972, is
40 amended as follows:

41 23-15-881. (1) It shall be unlawful for the Mississippi
42 Transportation Commission or any member of the Mississippi
43 Transportation Commission * * * to employ, during the months of
44 May, June, July and August of any year in which a general primary
45 election is held for the nomination and election of members of the
46 Transportation Commission * * * a greater number of persons to
47 work and maintain the state highways, in any highway
48 district * * * than the average number of persons employed for
49 similar purposes in such highway district * * * during the months
50 of May, June, July and August of the three (3) years immediately
51 preceding the year in which such general primary election is held.
52 It shall be unlawful for the Mississippi Transportation
53 Commission * * * to expend out of the state highway funds * * *,
54 in the payment of wages or other compensation for labor performed
55 in working and maintaining the highways of any highway
56 district, * * * during the months of May, June, July and August of
57 such election year, a total amount in excess of the average total
58 amount expended for such labor, in such highway district * * *
59 during the corresponding four (4) months' period of the three (3)
60 years immediately preceding.

61 (2) It shall be the duty of the Transportation
62 Commission * * * to keep sufficient records of the numbers of
63 employees and expenditures made for labor on the state highways of
64 each highway district * * * for the months of May, June, July and
65 August of each year, to show the number of persons employed for
66 such work in each highway district * * * during said four (4)
67 months' period, and the total amount expended in the payment of



68 salaries and other compensation to such employees, so that it may
69 be ascertained, from an examination of such records, whether or
70 not the provisions of this chapter have been violated.

71 (3) (a) It shall be unlawful for the board of supervisors
72 of any county or any member of the board of supervisors of a
73 county, to employ, during the months of May, June, July and August
74 of any year in which a general primary election is held for the
75 nomination and election of members of the boards of supervisors, a
76 number of persons to work and maintain the public roads of the
77 county or of any supervisors district of the county, as the case
78 may be, that exceeds ten percent (10%) of the number of persons
79 employed for similar purposes in such county or supervisors
80 district during the corresponding four (4) months' period of the
81 first year of that term of office.

82 (b) It shall be unlawful for the board of supervisors
83 any county to expend out of the road funds of the county or any
84 supervisors district of the county, as the case may be, in the
85 payment of wages or other compensation for labor performed in
86 working and maintaining the public roads of the county or any
87 supervisors district of the county, as the case may be, during the
88 months of May, June, July and August of any year in which a
89 general primary election is held for the nomination and election
90 of members of the boards of supervisors, a total amount that
91 exceeds by more than twenty-five percent (25%) the total amount
92 expended for such labor in the county or such supervisors district
93 during the corresponding four (4) months' period of the first year
94 of that term of office.

95 (4) It is provided, however, because of the abnormal
96 conditions existing in certain counties of the state due to recent
97 floods in which roads and bridges have been materially damaged or
98 washed away and destroyed, if the board of supervisors in any
99 county passes a resolution as provided in Section 19-9-11,
100 Mississippi Code of 1972, for the emergency issuance of road and



101 bridge bonds, the provisions of this section shall not be
102 applicable to or in force concerning the board of supervisors
103 during the calendar year 1955.

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

