

By: Senator(s) Jackson (32nd)

To: Public Property;  
Appropriations

SENATE BILL NO. 2356

1 AN ACT TO REENACT SECTIONS 7-9-151 THROUGH 7-9-159,  
2 MISSISSIPPI CODE OF 1972, WHICH ESTABLISH THE CAPITAL IMPROVEMENTS  
3 PREPLANNING FUND AND PROVIDE THE PURPOSES FOR WHICH MONIES IN THE  
4 FUND MAY BE USED; TO AMEND SECTION 7-9-161, MISSISSIPPI CODE OF  
5 1972, TO EXTEND THE REPEALER ON THE SECTIONS OF LAW THAT ESTABLISH  
6 AND PROVIDE FOR THE CAPITAL IMPROVEMENTS PREPLANNING FUND; AND FOR  
7 RELATED PURPOSES.

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

9 **SECTION 1.** Section 7-9-151, Mississippi Code of 1972, is  
10 reenacted as follows:

11 7-9-151. There is hereby established in the State Treasury a  
12 revolving fund to be designated as the "Capital Improvements  
13 Preplanning Fund" which shall consist of monies appropriated or  
14 otherwise made available therefor by the Legislature. Such funds  
15 as may be deposited in the revolving fund may be expended by the  
16 Bureau of Building, Grounds and Real Property Management to obtain  
17 preliminary studies and plans for projects authorized by the  
18 Legislature. Funds also may be expended, in an amount not to  
19 exceed Two Hundred Thousand Dollars (\$200,000.00) for any project,  
20 for the purpose of obtaining preliminary studies and plans, to  
21 include appraisals and the purchase of options on real property,  
22 for projects the bureau may consider proposing to the Legislature  
23 for authorization. The bureau shall consider architectural and  
24 aesthetic compatibility in the preplanning of any project  
25 conducted using money from the Capital Improvements Preplanning  
26 Fund.

27 **SECTION 2.** Section 7-9-153, Mississippi Code of 1972, is  
28 reenacted as follows:

29           7-9-153. (1) All expenses for preplanning projects  
30 authorized by the Legislature shall be paid upon warrants drawn on  
31 the Capital Improvements Preplanning Fund created pursuant to  
32 Sections 7-9-151 through 7-9-159. The Department of Finance and  
33 Administration shall issue warrants upon requisitions signed by  
34 the Director of the Bureau of Building, Grounds and Real Property  
35 Management. Such requisitions shall set forth the name of the  
36 project and estimated cost of the project, and the total of prior  
37 expenditures for such project. The Department of Finance and  
38 Administration shall not issue a warrant against the Capital  
39 Improvements Preplanning Fund if the total amount expended for  
40 preliminary study and planning on the project exceeds two percent  
41 (2%) of the estimated cost of such project or appraised price of  
42 the proposed property.

43           (2) Expenses for preliminary studies and plans, to include  
44 appraisals and the purchase of options on real property, for  
45 projects the bureau may consider proposing to the Legislature for  
46 authorization shall be paid upon warrants drawn on the Capital  
47 Improvements Preplanning Fund created pursuant to Sections 7-9-151  
48 through 7-9-159. The Department of Finance and Administration  
49 shall issue warrants upon requisitions signed by the Director of  
50 the Bureau of Building, Grounds and Real Property Management.  
51 Such requisitions shall set forth the name of the project and  
52 estimated cost of the project, and the total of prior expenditures  
53 for such project. The Department of Finance and Administration  
54 shall not issue a warrant against the Capital Improvements  
55 Preplanning Fund for a project if the total amount expended for  
56 preliminary studies and plans, to include appraisals and the  
57 purchase of options on real property, for the project exceeds Two  
58 Hundred Thousand Dollars (\$200,000.00).

59           **SECTION 3.** Section 7-9-155, Mississippi Code of 1972, is  
60 reenacted as follows:

61           7-9-155. Upon the appropriation of funds or the sale of  
62 bonds to fund any project authorized by the Legislature for which  
63 planning funds have been expended under the provisions of Sections  
64 7-9-151 through 7-9-159, the Director of the Bureau of Building,  
65 Grounds and Real Property Management shall requisition such amount  
66 as has been expended for preliminary planning to be transferred  
67 from the available funds for such project to the Capital  
68 Improvements Preplanning Fund and the Department of Finance and  
69 Administration shall make such transfer.

70           **SECTION 4.** Section 7-9-157, Mississippi Code of 1972, is  
71 reenacted as follows:

72           7-9-157. The Department of Finance and Administration is  
73 hereby authorized and empowered to receive and expend any local or  
74 other source funds in connection with the expenditure of funds  
75 deposited into the Capital Improvements Preplanning Fund.

76           **SECTION 5.** Section 7-9-159, Mississippi Code of 1972, is  
77 reenacted as follows:

78           7-9-159. On the date that Chapter 246, Laws of 1973, is  
79 repealed, the State Treasurer shall transfer all funds in the  
80 Capital Improvements Preplanning Fund created pursuant to Chapter  
81 246, Laws of 1973, to the Capital Improvements Preplanning Fund  
82 created pursuant to Sections 7-9-151 through 7-9-159.

83           **SECTION 6.** Section 7-9-161, Mississippi Code of 1972, is  
84 amended as follows:

85           7-9-161. Sections 7-9-151 through 7-9-159, Mississippi Code  
86 of 1972, shall be repealed from and after July 1, 2006.

87           **SECTION 7.** This act shall take effect and be in force from  
88 and after July 1, 2004.