

By: Senator(s) Ross

To: Appropriations

SENATE BILL NO. 2025

1 AN ACT TO AMEND SECTION 33-15-313, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE TERMS UNDER WHICH ANY LOCAL AGENCY MAY APPLY FOR
3 CERTAIN DISASTER ASSISTANCE AND FUNDING; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 33-15-313, Mississippi Code of 1972, is
6 amended as follows:

7 33-15-313. (1) Subject to the conditions specified in this
8 section, the director shall allocate funds from the trust fund to
9 meet the cost of any one or more projects. The completion of all
10 or part of a project before application for funds under this
11 article shall not disqualify such project or any part thereof.

12 (2) To be eligible for state and/or federal funding, the
13 governing body of the local agency must declare a local
14 emergency * * * and forward such declaration to the Governor.

15 (3) A state or local agency shall make application to the
16 director for state and/or federal financial assistance within
17 thirty (30) days after the date of the declaration of a major
18 disaster or emergency declared by the President or a state of
19 emergency declared by the Governor; however, the director may
20 extend the time for such filing, but only under unusual
21 circumstances. No financial aid shall be provided until an
22 applicant has filed a Notice of Interest and a Request for Federal
23 Assistance and a state and/or federal team has first investigated
24 and reported upon the proposed work, has estimated the cost of the
25 work, and has filed a project worksheet thereon with the
26 Governor's authorized representative and a project application has
27 been prepared. The estimate of cost of the work may include

28 expenditures made by the state or local agency for such work
29 before the making of such estimate. "Unusual circumstances," as
30 used in this subsection, means unavoidable delays that result from
31 recurrence of a disaster, prolonged severe weather or other
32 conditions beyond the control of the applicant. Delays resulting
33 from administrative procedures are not unusual circumstances that
34 warrant extensions of time.

35 (4) No funds shall be allocated from the trust fund to a
36 state or local agency until the agency has indicated in writing
37 its acceptance of the project application and the cost-sharing
38 related thereto in such form as the director prescribes. The
39 project application shall provide for the performance of the work
40 by the state or local agency, shall provide for the methods of
41 handling the funds allocated and the matching funds provided by
42 the local agency, and shall contain such other provisions as are
43 deemed necessary to ensure completion of the work included in the
44 project application and the proper expenditures of funds as
45 provided herein.

46 **SECTION 2.** This act shall take effect and be in force from
47 and after August 29, 2005.