

By: Representative Baker (74th)

To: Transportation; Ways and
Means

HOUSE BILL NO. 584

1 AN ACT TO CREATE A GRANT PROGRAM TO ASSIST MUNICIPALITIES IN
2 THE CONSTRUCTION, IMPROVEMENT AND MAINTENANCE OF HIGHWAYS, ROADS
3 AND STREETS, INCLUDING GRADE AND DRAINAGE STRUCTURES AND DEVICES
4 AND RELATED INFRASTRUCTURE PROJECTS, WITHIN AND UNDER THE
5 JURISDICTION AND CONTROL OF A MUNICIPALITY; TO PROVIDE THAT THE
6 PROGRAM SHALL BE ADMINISTERED BY THE MISSISSIPPI DEVELOPMENT
7 AUTHORITY; TO REQUIRE CERTAIN INFORMATION TO BE PROVIDED TO THE
8 MISSISSIPPI DEVELOPMENT AUTHORITY BY PROGRAM APPLICANTS; TO
9 ESTABLISH CERTAIN CRITERIA THAT THE MISSISSIPPI DEVELOPMENT
10 AUTHORITY SHALL CONSIDER IN EVALUATING SUCH PROJECTS; TO CREATE A
11 SPECIAL FUND IN THE STATE TREASURY INTO WHICH MONIES APPROPRIATED
12 BY THE LEGISLATURE OR OTHERWISE MADE AVAILABLE FROM ANY OTHER
13 DESIGNATED SOURCE SHALL BE DEPOSITED; TO PROVIDE THAT MONIES IN
14 THE SPECIAL FUND MAY BE DISTRIBUTED AS GRANTS TO APPLICANTS
15 APPROVED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY AND MAY BE
16 EXPENDED BY MUNICIPALITIES FOR THE PURPOSES AUTHORIZED BY THIS
17 ACT; AND FOR RELATED PURPOSES.

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

19 **SECTION 1.** For the purposes of this act, the following words
20 shall have the meanings ascribed to them in this section unless
21 the context clearly indicates otherwise:

22 (a) "MDA" means the Mississippi Development Authority.

23 (b) "Municipality" means any incorporated municipality
24 within the state.

25 (c) "Project" means construction, reconstruction,
26 expansion, improvement and/or maintenance and repair of highways,
27 roads and streets (roadways) within and under the jurisdiction and
28 control of a municipality, including attendant grade and drainage
29 structures and devices, location of new and relocation of existing
30 utilities distribution lines and facilities, and related roadway
31 infrastructure improvements. The term "project" also includes
32 planning, design and engineering and the acquisition of real
33 property necessary to accomplish such improvements.

34 **SECTION 2.** (1) The MDA shall establish a program to provide
35 grants to municipalities from the special fund created under
36 Section 3 of this act. The governing authorities of a
37 municipality desiring to participate in the grant program may
38 apply to the MDA for a grant under this act by submitting an
39 application to the MDA which shall include, at a minimum:

40 (a) A detailed description of the project, the project
41 location and the purpose for which the project is proposed;

42 (b) An estimate of the total cost of the project and
43 the amount and source of all funds, if any, that the municipality
44 has committed or is willing to commit to the project; and

45 (c) Such other information as the MDA may require.

46 (2) The MDA shall receive, evaluate and assess each
47 application submitted to it and, in determining whether to approve
48 an application, shall consider the following criteria:

49 (a) The population density within the project area,
50 including past and future estimates of population growth;

51 (b) The traffic count and traffic congestion within the
52 project area;

53 (c) The condition of existing roadways, drainage and
54 infrastructure in the project area;

55 (d) The current and future potential for economic,
56 residential, commercial, industrial and recreational growth and
57 development within and surrounding the corporate boundaries of the
58 municipality, and the extent to which the proposed project may
59 have a favorable impact upon such growth and development; and

60 (e) Any other criteria that the MDA considers relevant.

61 **SECTION 3.** (1) There is created in the State Treasury a
62 special fund to be designated as the "Municipal Street, Road and
63 Highway Grant Program Fund," which shall consist of funds
64 appropriated or otherwise made available by the Legislature in any
65 manner and funds from any other source designated for deposit into
66 the fund. Unexpended amounts remaining in the fund at the end of

67 a fiscal year shall not lapse into the State General Fund, and any
68 investment earnings or interest earned on amounts in the fund
69 shall be deposited to the credit of the fund. Monies in the fund
70 shall be used to make grants to municipalities to assist in them
71 in performing projects under this act.

72 (2) The MDA may use monies in the fund to pay for the
73 services of engineers, attorneys and such other advisors,
74 consultants and agents that the MDA determines are necessary to
75 review grant applications and to implement and administer the
76 program established under this act.

77 **SECTION 4.** The MDA shall have all powers necessary to
78 implement and administer the program established under this act,
79 and the MDA shall promulgate rules and regulations, in accordance
80 with the Mississippi Administrative Procedures Law, as may be
81 necessary for the implementation of this act.

82 **SECTION 5.** This act shall take effect and be in force from
83 and after July 1, 2007.