MISSISSIPPI LEGISLATURE REGULAR SESSION 2007

By: Representative Miles

To: Transportation

HOUSE BILL NO. 1461

AN ACT TO AMEND SECTION 57-43-11, MISSISSIPPI CODE OF 1972, TO INCREASE TO SEVENTY-FIVE PERCENT THE MAXIMUM AUTHORIZED PARTICIPATION OF THE STATE IN FUNDING CERTAIN RAIL REHABILITATION AND IMPROVEMENT PROJECTS; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 57-43-11, Mississippi Code of 1972, is amended as follows:

57-43-11. The Executive Director of the Mississippi Department of Transportation, with the approval of the Mississippi Transportation Commission, may enter into agreements for the purposes of this chapter whereby the state shall provide, from the state portion of the funds available, not more than seventy-five percent (75%) of the amounts necessary to rehabilitate or improve a rail line or segment thereof which has been documented as being viable and cost-effective, provided at least twenty-five percent (25%) of the cost is provided by federal, local, user or railroad funds. The portion to be provided by local governmental agencies may be in the form of a loan from the Railroad Revitalization Fund, with repayment being made by a portion of the revenue derived from the improved line or by a pledge of certain other funds. Any loan shall be made at no interest, provided payments are made in accordance with the agreement. Any portion of a loan outstanding during any delinquency shall bear interest at the legal rate on the entire balance due. In the event that a loan made to a county or municipality has not been repaid or arrangements satisfactory to the Mississippi Transportation Department have not been made to repay the loan within a period of time after same is due and payable, as determined by the

department, the department shall determine that there is a default, shall enter an order to that effect upon its official minutes, and send a certified copy of said order by certified mail, postage prepaid, to the chancery clerk or city clerk, as the case may be. If said default is not satisfied in full within thirty (30) days following notification of default by the department, the county or municipality, as the case may be, shall forfeit its right to receive reimbursement for homestead exemption until such time as its indebtedness has been discharged or arrangements to discharge said indebtedness satisfactory to the department have been made. Homestead exemption funds forfeited hereby shall, upon demand by the department made in writing upon the Mississippi State Tax Commission, be paid to the Mississippi Transportation Department and applied to the discharge of the obligation.

SECTION 2. This act shall take effect and be in force from and after July 1, 2007.

ST: Rail rehabilitation projects; increase maximum authorized participation of state in funding.