

By: Senator(s) Hopson

To: Appropriations

SENATE BILL NO. 2454
(As Sent to Governor)

1 AN ACT TO DIRECT THE STATE FISCAL OFFICER TO MAKE CERTAIN
 2 TRANSFERS FROM THE CAPITAL EXPENSE FUND UPON THE EFFECTIVE DATE OF
 3 THIS ACT; TO DIRECT THE STATE FISCAL OFFICER TO MAKE CERTAIN
 4 TRANSFERS FROM THE GENERAL FUND UPON THE EFFECTIVE DATE OF THIS
 5 ACT AND DURING FISCAL YEAR 2024; TO DIRECT THE STATE FISCAL
 6 OFFICER TO MAKE A TRANSFER FROM THE CAPITAL EXPENSE FUND UPON THE
 7 EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 65-1-141.1,
 8 MISSISSIPPI CODE OF 1972, TO MAKE A MINOR, NONSUBSTANTIVE REVISION
 9 TO THE PURPOSES UNDER WHICH MONIES SHALL BE SPENT FROM THE 2022
 10 MAINTENANCE PROJECT FUND; TO AMEND SECTION 65-1-141.2, MISSISSIPPI
 11 CODE OF 1972, TO MAKE A MINOR, NONSUBSTANTIVE REVISION TO THE
 12 PURPOSES UNDER WHICH MONIES SHALL BE SPENT FROM THE 2022 CAPACITY
 13 PROJECT FUND; TO AMEND SECTION 2, SENATE BILL NO. 2525, 2023
 14 REGULAR SESSION, TO MAKE CERTAIN REVISIONS TO THE FUNDING
 15 MECHANISM OF THE FORESTRY FACILITY GRANT PROGRAM FUND; TO AMEND
 16 SECTION 1, CHAPTER 43, LAWS OF 2022, TO REDUCE THE AMOUNT OF ARPA
 17 FUNDS APPROPRIATED TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION
 18 FOR FISCAL YEAR 2023; TO PROVIDE FUNDS TO DESTINATION MARKETING
 19 ORGANIZATIONS FOR COSTS OF CERTAIN MARKETING ACTIVITIES, PROVIDING
 20 ASSISTANCE TO NONPROFIT MUSEUMS, AND PROVIDING FUNDS TO
 21 MISSISSIPPI MAIN STREET ASSOCIATION; AND FOR RELATED PURPOSES.

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

23 **SECTION 1.** Upon the effective date of this act, the State
 24 Fiscal Officer shall transfer the amounts listed below from the
 25 Capital Expense Fund (Fund No. 6499C00000) to each of the
 26 following named funds:

27 FUND	FUND NUMBER	AMOUNT
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28	2022 Capacity Project		
29	Fund	6619420000	\$ 450,000,000.00
30	2022 Emergency Road and		
31	Bridge Fund	6619440000	\$ 100,000,000.00
32	2022 Infrastructure		
33	Match Fund	6619430000	\$ 40,000,000.00
34	Mississippi Historic Site		
35	Preservation Fund	3348400000	\$ 2,000,000.00
36	Mississippi Community		
37	Heritage Pres Grant		
38	Fund	3347600000	\$ 5,000,000.00
39	Forestry Facility Grant		
40	Program created in		
41	this act		<u>\$ 5,000,000.00</u>
42	TOTAL		\$ 602,000,000.00

43 **SECTION 2.** Upon the effective date of this act, the State
44 Fiscal Officer shall transfer the sum of Ten Million Dollars
45 (\$10,000,000.00) from the General Fund (Fund No. 2999000000) to
46 the Disaster Trust Fund (Fund No. 3372500000).

47 **SECTION 3.** During fiscal year 2024, the State Fiscal Officer
48 shall transfer the sum of Fifteen Million Dollars (\$15,000,000.00)
49 from the General Fund (Fund No. 2999000000) to the Mississippi
50 Outdoor Stewardship Trust Fund (Fund No. 3316200000).

51 **SECTION 4.** During fiscal year 2024, the State Fiscal Officer
52 shall transfer the sum of Two Million Five Hundred Thousand



53 Dollars (\$2,500,000.00) from the General Fund (Fund No.
54 2999000000) to the Human Trafficking Fund (Fund No. 3307800000).

55 **SECTION 5.** During the fiscal year 2024, the State Fiscal
56 Officer shall transfer the sum of Thirty Million Dollars
57 (\$30,000,000.00) from the Capital Expense Fund (Fund No.
58 6499C00000) to the Strategic Multi-Modal Investments Fund created
59 in Senate Bill No. 2559, 2023 Regular Session.

60 **SECTION 6.** During fiscal year 2024, the State Fiscal Officer
61 shall transfer the sum of Three Hundred Thousand Dollars
62 (\$300,000.00) from the Capital Expense Fund (Fund No. 6499C00000)
63 to the Derelict Vessel Fund created in Section 49-27-71,
64 Mississippi Code of 1972, to be used for the purposes of removal
65 of Derelict Vessels provided in Section 49-27-71, Mississippi Code
66 of 1972.

67 **SECTION 7.** Section 65-1-141.1, Mississippi Code of 1972, is
68 amended as follows:

69 65-1-141.1. There is created in the State Treasury a special
70 fund to be designated as the "2022 Maintenance Project Fund,"
71 which shall consist of funds made available by the Legislature in
72 any manner and funds from any other source designated for deposit
73 into such fund. The fund shall be maintained by the State
74 Treasurer as a separate and special fund, separate and apart from
75 the General Fund of the state. Unexpended amounts remaining in
76 the fund at the end of a fiscal year shall not lapse into the
77 State General Fund, and any investment earnings or interest earned



78 on amounts in the fund shall be deposited to the credit of the
79 fund. Monies in the fund shall be used by the Department of
80 Transportation, upon appropriation by the Legislature, to provide
81 for maintenance projects * * * included in the Pavement Program of
82 the Three-Year Plan as adopted by, amended by, or reissued by the
83 Mississippi Transportation Commission * * * under the authority of
84 Section 65-1-141.

85 **SECTION 8.** Section 65-1-141.2, Mississippi Code of 1972, is
86 amended as follows:

87 65-1-141.2. There is created in the State Treasury a special
88 fund to be designated as the "2022 Capacity Project Fund," which
89 shall consist of funds made available by the Legislature in any
90 manner and funds from any other source designated for deposit into
91 such fund. The fund shall be maintained by the State Treasurer as
92 a separate and special fund, separate and apart from the General
93 Fund of the state. Unexpended amounts remaining in the fund at
94 the end of a fiscal year shall not lapse into the State General
95 Fund, and any investment earnings or interest earned on amounts in
96 the fund shall be deposited to the credit of the fund. Monies in
97 the fund shall be used by the Department of Transportation, upon
98 appropriation by the Legislature, to provide for capacity
99 projects * * * included in the Capacity Program of the Three-Year
100 Plan as adopted by, amended by, or reissued by the Mississippi
101 Transportation Commission * * * under the authority of Section
102 65-1-141.



103 **SECTION 9.** Section 2 of Senate Bill No. 2525, 2023 Regular
104 Session, is hereby amended as follows:

105 Section 2. (1) For the purposes of this section:

106 (a) "Under public control" means held or controlled by
107 the public, or held by a public option.

108 (b) "Growth-to-drain" means a one and five (1.5) growth
109 to one (1) drain ratio of trees within a fifty-mile radius of the
110 facility, which can be verified by the Mississippi Forestry
111 Commission.

112 (c) "Eligible recipients" shall mean a forestry
113 facility project that satisfies the criteria as outlined in this
114 section, and has applied for grant funding to install utility,
115 infrastructure and transportation projects only. A recipient will
116 be found to be ineligible for a grant, if their project seeks to
117 use grant funding for construction of their facility or project.

118 (d) "The committee" means a committee consisting of the
119 Executive Director of the Mississippi Development Authority, Chief
120 of Economic Development, the MDA Forest Products expert, an
121 appointee from the Governor's office and an appointee from the
122 Lieutenant Governor's office, that is tasked with approving grant
123 recipients in accordance with this section.

124 (2) Eligible applicants include municipalities, county
125 governments, existing forestry product facilities and regional
126 economic development entities. To apply, applicants must submit
127 their proposals to the Mississippi Development Authority (MDA).



128 The MDA shall accept applications from eligible recipients,
129 prioritize these applications and submit suggested recipients to
130 the committee by no later than December 1. Beginning July 1,
131 2024, and each year thereafter, the committee shall review the
132 submitted list and choose to award grants to the eligible
133 recipients through the Mississippi Development Authority. The MDA
134 will consider and prioritize projects in relation to the following
135 criteria:

136 (a) The project has a minimum investment of Ten Million
137 Dollars (\$10,000,000.00);

138 (b) The project site utilizes at least fifty (50) acres
139 of land under public control;

140 (c) Applicant proposes to use funds for the purpose of
141 utility, infrastructure and/or transportation development;

142 (d) The project produces a high level of public
143 benefit;

144 (e) The project demonstrates best practices and
145 complies with the required growth-to-drain ratio;

146 (f) The project will comply with and expand upon
147 existing infrastructure in the community;

148 (g) The distribution of geographic size and location of
149 the project; and

150 (h) The applicant can demonstrate the ability of the
151 proposed project to be completed on time.



152 (3) The Mississippi Development Authority shall provide
153 grant funds to the forestry facility projects as approved by the
154 committee upon completion of the project. Award amounts shall not
155 exceed seventy-five percent (75%) of the total infrastructure
156 project cost. Grantees shall not receive compensation for
157 expenses related to the construction of their project.

158 (4) Eligible costs of grant funds include the acquisition of
159 land and any improvements thereon, the installation of power
160 lines, gas lines, water systems, sewage systems, roads, railroads
161 and other infrastructure-related projects that are necessary for
162 project completion and/or expansion, and complying with existing
163 community needs and infrastructure.

164 (5) Grants may be awarded for both existing projects and
165 development of prospective sites. In the latter case, the project
166 shall be made to help establish or complete a forestry products
167 project.

168 (6) Public grantees must adhere to Mississippi state
169 procedures and guidelines as it relates to the implementation and
170 financing of the approved project. Grantees must also submit any
171 and all audit financial statements as required by the State of
172 Mississippi.

173 (7) There is created in the State Treasury a special fund to
174 be known as the "Forestry Facility Grant Program Fund," * * *
175 which * * * may be established with a sum of up to Ten Million
176 Dollars (\$10,000,000.00). Awards authorized under the Forestry



177 Facility Grant Program shall be disbursed by the Mississippi
178 Development Authority. The fund shall consist of monies
179 appropriated by the Legislature and funds received as grants,
180 endowments or gifts from the federal government, its agencies and
181 instrumentalities and funds from any other available sources,
182 public or private. Any unexpended monies remaining in the fund,
183 including interest thereon, at the end of each fiscal year, shall
184 not lapse to the State General Fund, but shall remain in the fund.

185 (8) The Director of the Mississippi Development Authority
186 shall establish, administer, manage, and make expenditures and
187 allocations of grant funds and shall establish guidelines for
188 applications, evaluations and awards of grant funds. The MDA
189 shall utilize no more than two percent (2%) of funds awarded to
190 the program for administrative expenses.

191 (9) To carry out this act, the Mississippi Development
192 Authority may enter into cooperative agreements with entities in
193 the public and private sectors, including:

194 (a) Primary forestry product mills and residual forest
195 products facilities;

196 (b) Companies in a recognized forestry-related
197 industry;

198 (c) State and local agencies; and

199 (d) Nonprofit organizations for economic development.

200 (10) The Mississippi Development Authority may require that
201 recipients seek and secure technical assistance from the



202 Mississippi Forestry Commission. The Mississippi Forestry
203 Commission will provide administrative support to local forestry
204 project grantees to ensure proper growth-to-drain criteria as
205 defined herein.

206 **SECTION 10.** Section 1, Chapter 43, Laws of 2022, is amended
207 as follows:

208 Section 1. The following sum, or so much of it as may be
209 necessary, is appropriated out of any money in the Coronavirus
210 State Fiscal Recovery Fund not otherwise appropriated, to the
211 Department of Finance and Administration for the purpose of
212 providing funds to destination marketing organizations to assist
213 in paying costs of certain marketing activities, * * * and
214 providing funds to Mississippi Main Street Association, as
215 provided in House Bill No. 453, 2022 Regular Session, for the
216 fiscal year beginning July 1, 2022, and ending June 30, 2023.....
217\$ * * * 35,000,000.00.

218 **SECTION 11.** This act shall take effect and be in force from
219 and after its passage.

