

By: Senator(s) McCaughn, Jordan, Butler

To: Tourism

SENATE BILL NO. 2696  
(As Sent to Governor)

1 AN ACT TO AMEND SECTIONS 57-78-3 AND 57-78-5, MISSISSIPPI  
2 CODE OF 1972, TO REVISE THE DEFINITION OF CERTAIN TERMS FOR  
3 PURPOSES OF THE PROGRAM; TO EXPAND GRANT PROGRAM ELIGIBILITY; TO  
4 ALLOW APPLICANTS WHO DID NOT RECEIVE A GRANT THE PRIOR YEAR TO  
5 TAKE PRIORITY FOR GRANTS GRANTED THE FOLLOWING YEAR; TO AMEND THE  
6 EASEMENT REQUIREMENTS FOR GRANTEES; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 57-78-1, Mississippi Code of 1972, is  
9 brought forward as follows:

10 57-78-1. This chapter shall be known and may be cited as the  
11 "Mississippi Main Street Revitalization Grant Program Act."

12 **SECTION 2.** Section 57-78-3, Mississippi Code of 1972, is  
13 amended as follows:

14 57-78-3. The Mississippi Main Street Revitalization Grant  
15 Program Act will authorize the Legislature, as well as the  
16 Mississippi Development Authority through appropriations by the  
17 Legislature, to make grants available to \* \* \* eligible recipients  
18 for projects leading to the revitalization of Mississippi's  
19 downtowns or communities.



20           **SECTION 3.** Section 57-78-5, Mississippi Code of 1972, is  
21 amended as follows:

22           57-78-5. (1) For the purposes of this section:

23                   (a) "Eligible recipient" means a:

24                           (i) Main Street Designated Community, or local  
25 Main Street program that has achieved and maintained Designated  
26 Community Status by the Mississippi Main Street Association  
27 (MMSA), that is a good-standing member of the MMSA, has obtained  
28 Section 501(c)(3) tax-exempt status or Section 501(c)(6)  
29 tax-exempt status from the Internal Revenue Service \* \* \*;

30                           (ii) Main Street \* \* \* Network Community \* \* \*;

31                           (iii) Main Street Associate Community;

32                           (iv) Cities located in Mississippi that otherwise  
33 meet the requirements of this act; or

34                           (v) Business improvement districts that otherwise  
35 meet the requirements of this act.

36           \* \* \*

37                   ( \* \* \* b) "Matching funds" means cash funds that are  
38 either in the applicant's possession or proposed by a match  
39 partner and clearly identified in a support letter and are  
40 reserved for the proposed project. No state funds may be included  
41 in determining the amount of the match.

42                   ( \* \* \* c) " \* \* \* Administrator" means the Mississippi  
43 Main Street Association.



44           (2) The \* \* \* administrator shall accept applications from  
45 eligible recipients, prioritize their applications and submit a  
46 list of suggested recipients to the Legislature no later than  
47 December of each year. Applicants who did not receive a grant the  
48 prior year shall receive priority for a grant the following  
49 year. \* \* \* The Legislature shall review the submitted list and  
50 determine the projects for which to award grants to eligible  
51 recipients through the Mississippi Development Authority \* \* \*.  
52 The \* \* \* administrator will consider projects in relation to the  
53 following criteria:  
54           (a) The demonstration of local financial need;  
55           (b) Projects that demonstrate high local impact;  
56           (c) Projects that produce a high level of public  
57 benefit;  
58           (d) Projects that demonstrate best practices in  
59 preservation;  
60           (e) Projects that will have local administration and  
61 implementation capacity;  
62           (f) The distribution of geographic size and location of  
63 the project;  
64           (g) Projects that will be completed on time; and  
65           (h) \* \* \* Projects that are according to the Main  
66 Street Approach and Guiding Principles or a comparable community  
67 plan.



68           (3) The Mississippi Development Authority shall provide  
69 grant funds to the \* \* \* eligible recipients under this section on  
70 a reimbursement basis, not to exceed Five Hundred Thousand Dollars  
71 (\$500,000.00) per community each year, and grantees shall not  
72 receive compensation for their required twenty percent (20%) of  
73 local match funds, which must cover at least twenty percent (20%)  
74 of the total project cost. \* \* \* Municipalities, or eligible  
75 recipients within a municipality, with a population of over ten  
76 thousand (10,000) are required to possess local matching funds to  
77 cover at least twenty percent (20%) of the total project cost.  
78 Municipalities, or eligible recipients within a municipality, with  
79 a population of less than ten thousand (10,000), shall be required  
80 to have a local cash match of ten percent (10%) for the first One  
81 Hundred Thousand Dollars (\$100,000.00) requested, then will be  
82 required to have a local cash match of twenty percent (20%) for  
83 any amount over One Hundred Thousand Dollars (\$100,000.00).

84           (4) Eligible costs for the expenditure of grant funds  
85 include the acquisition of land and any improvements thereon,  
86 preservation of historic downtown structures and sites, and  
87 initiatives that will produce a revitalization to the economy of  
88 the historic downtown areas.

89           (5) Grants may be awarded for prospective purchases or for  
90 acquisitions of which the applicant has closed. In the latter  
91 case, the applicant shall demonstrate:



92 (a) The closing occurred no more than twelve (12)  
93 months prior to the date of application for the grant; and

94 (b) The subject purchase was made to help preserve and  
95 revitalize the location and economy of a historic downtown  
96 community.

97 (6) \* \* \* Any eligible recipient that is awarded a grant  
98 pursuant to this section for a project involving a historic  
99 property must comply with all applicable laws relating to the  
100 property, as well as applicable regulations of the Mississippi  
101 Department of Archives and History, or other department or agency  
102 relating to such property.

103 (7) Grantees must adhere to Mississippi state procedures and  
104 guidelines relating to the implementation and financing of the  
105 approved project. Grantees must also submit any and all audit and  
106 financial statements as required by the State of Mississippi.

107 (8) Nothing in this section shall preclude the subsequent  
108 transfer or assignment by a state agency or other owner or holder  
109 of any property interest acquired pursuant to this section to the  
110 State of Mississippi, the county, city, town or municipality in  
111 which the land is located, for the purpose of further preserving,  
112 improving or maintaining the downtown property. The Mississippi  
113 Development Authority shall facilitate transfers and assignments  
114 of any such interests held by the department.

115 (9) There is created in the State Treasury a special fund to  
116 be known as the "Mississippi Main Street Revitalization Grant



117 Program Fund," which shall consist of funds made available by the  
118 Legislature in any manner, funds received as grants, endowments or  
119 gifts from the federal government, its agencies and  
120 instrumentalities, and funds from any other source designated for  
121 deposit into such fund. The fund shall be maintained by the State  
122 Treasurer as a separate and special fund, separate and apart from  
123 the General Fund of the state. Unexpended amounts remaining in  
124 the fund at the end of a fiscal year shall not lapse into the  
125 State General Fund, and any investment earnings or interest earned  
126 on amounts in the fund shall be deposited to the credit of the  
127 fund. Monies in the fund shall be used by the Mississippi  
128 Development Authority, upon appropriation by the Legislature, for  
129 the purposes provided in this section.

130 (10) The Mississippi Development Authority shall administer  
131 the fund and establish guidelines for the expenditure of grant  
132 funds and reports relating to the expenditure of grant funds. The  
133 department \* \* \* shall provide the administrator with no more than  
134 two percent (2%) of the amount of funds deposited into the  
135 Mississippi Main Street Revitalization Grant Fund for  
136 administrative expenses in carrying out its duties under this  
137 section.

138 (11) To carry out this act, the Mississippi Development  
139 Authority may enter into cooperative agreements with entities in  
140 the public and private sectors, including:

141 (a) Colleges and universities;



- 142 (b) Historical societies;
- 143 (c) State and local agencies; and
- 144 (d) Nonprofit organizations.

145 (12) To develop cooperative land-use strategies and conduct  
146 activities that facilitate the conservation of the historic,  
147 cultural, natural and scenic resources, the Mississippi  
148 Development Authority may require that recipients seek and secure  
149 technical assistance from the \* \* \* administrator, to the extent  
150 that a recipient of technical assistance is engaged in the  
151 protection, interpretation or commemoration of historically  
152 significant property in the area in and around the historic  
153 downtown site. The \* \* \* administrator will provide  
154 administrative support to \* \* \* eligible recipients to ensure  
155 proper grant administration and project implementation.

156 **SECTION 4.** This act shall take effect and be in force from  
157 and after July 1, 2024.

