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Chapter No. 400

11/HR40/R604

CT / EW

HOUSE BILL NO. 330

Originated in House Don Richardson Clerk

HOUSE BILL NO. 330

AN ACT TO REENACT SECTIONS 7-9-151, 7-9-153, 7-9-155, 7-9-157 AND 7-9-159, MISSISSIPPI CODE OF 1972, THAT ESTABLISH THE CAPITAL IMPROVEMENTS PREPLANNING FUND AND AUTHORIZE THE PAYMENT OF PREPLANNING EXPENSES FROM THAT FUND; TO AMEND SECTION 7-9-161, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THOSE REENACTED SECTIONS; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 7-9-151, Mississippi Code of 1972, is reenacted as follows:

7-9-151. There is hereby established in the State Treasury a revolving fund to be designated as the "Capital Improvements Preplanning Fund" which shall consist of monies appropriated or otherwise made available therefor by the Legislature. Such funds as may be deposited in the revolving fund may be expended by the Bureau of Building, Grounds and Real Property Management to obtain preliminary studies and plans for projects authorized by the Legislature. Funds also may be expended, in an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) for any project, for the purpose of obtaining preliminary studies and plans, to include appraisals and the purchase of options on real property, for projects the bureau may consider proposing to the Legislature for authorization. The bureau shall consider architectural and aesthetic compatibility in the preplanning of any project conducted using money from the Capital Improvements Preplanning Fund.

SECTION 2. Section 7-9-153, Mississippi Code of 1972, is reenacted as follows:

7-9-153. (1) All expenses for preplanning projects authorized by the Legislature shall be paid upon warrants drawn on the Capital Improvements Preplanning Fund created pursuant to Sections 7-9-151 through 7-9-159. The Department of Finance and Administration shall issue warrants upon requisitions signed by the Director of the Bureau of Building, Grounds and Real Property Management. Such requisitions shall set forth the name of the project and estimated cost of the project, and the total of prior expenditures for such project. The Department of Finance and Administration shall not issue a warrant against the Capital Improvements Preplanning Fund if the total amount expended for preliminary study and planning on the project exceeds two and one-half percent (2-1/2%) of the estimated cost of such project or appraised price of the proposed property.

(2) Expenses for preliminary studies and plans, to include appraisals and the purchase of options on real property, for projects the bureau may consider proposing to the Legislature for authorization shall be paid upon warrants drawn on the Capital Improvements Preplanning Fund created pursuant to Sections 7-9-151 through 7-9-159. The Department of Finance and Administration shall issue warrants upon requisitions signed by the Director of the Bureau of Building, Grounds and Real Property Management. Such requisitions shall set forth the name of the project and estimated cost of the project, and the total of prior expenditures for such project. The Department of Finance and Administration shall not issue a warrant against the Capital Improvements Preplanning Fund for a project if the total amount expended for preliminary studies and plans, to include appraisals and the purchase of options on real property, for the project exceeds Two Hundred Fifty Thousand Dollars (\$250,000.00).

SECTION 3. Section 7-9-155, Mississippi Code of 1972, is reenacted as follows:

7-9-155. Upon the appropriation of funds or the sale of bonds to fund any project authorized by the Legislature for which planning funds have been expended under the provisions of Sections 7-9-151 through 7-9-159, the Director of the Bureau of Building, Grounds and Real Property Management shall requisition such amount as has been expended for preliminary planning to be transferred from the available funds for such project to the Capital Improvements Preplanning Fund and the Department of Finance and Administration shall make such transfer.

SECTION 4. Section 7-9-157, Mississippi Code of 1972, is reenacted as follows:

7-9-157. The Department of Finance and Administration is hereby authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds deposited into the Capital Improvements Preplanning Fund.

SECTION 5. Section 7-9-159, Mississippi Code of 1972, is reenacted as follows:

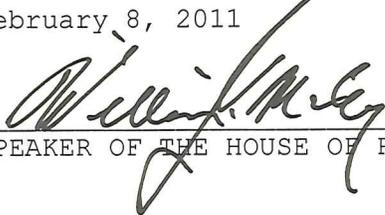
7-9-159. On the date that Chapter 246, Laws of 1973, is repealed, the State Treasurer shall transfer all funds in the Capital Improvements Preplanning Fund created pursuant to Chapter 246, Laws of 1973, to the Capital Improvements Preplanning Fund created pursuant to Sections 7-9-151 through 7-9-159.

SECTION 6. Section 7-9-161, Mississippi Code of 1972, is amended as follows:

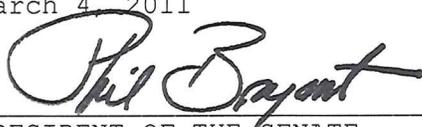
7-9-161. Sections 7-9-151 through 7-9-159, Mississippi Code of 1972, shall be repealed on July 1, 2014.

SECTION 7. This act shall take effect and be in force from and after July 1, 2011.

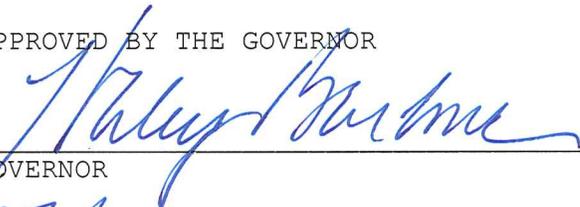
PASSED BY THE HOUSE OF REPRESENTATIVES
February 8, 2011


SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 4, 2011


PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR


GOVERNOR
