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Chapter No. 450
18/HR31/R1318SG
EJD / JD

HOUSE BILL NO. 736

Originated in House _____ Clerk

HOUSE BILL NO. 736

AN ACT TO AMEND SECTION 31-11-27, MISSISSIPPI CODE OF 1972, TO REQUIRE EACH STATE INSTITUTION OF HIGHER LEARNING, COMMUNITY AND JUNIOR COLLEGE TO INCLUDE A CURRENT CONDITIONS AND RATING REPORT OF ALL ROOFS IN THEIR CAPITAL NEEDS ASSESSMENTS REQUIRED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO PROVIDE THAT EACH ROOF OF BUILDINGS NOT PLANNED FOR DEMOLITION SHALL BE VISUALLY INSPECTED BY INSTITUTION OR AGENCY FACILITIES' STAFF, A LICENSED ARCHITECT OR ENGINEER OR BY THERMAL IMAGING INSPECTION EVERY THREE YEARS; TO REQUIRE THE DEPARTMENT TO SUBMIT THE DETAILED REPORT TO THE PUBLIC PROPERTY COMMITTEES OF THE HOUSE AND SENATE ON OR BEFORE SEPTEMBER 1 OF EACH YEAR; TO REQUIRE THE REPORTS TO CONTAIN PRIORITIZED LISTS OF PROJECTS RANKED ON THE BASIS OF NEED CONSISTENT WITH THE PRIMARY GOAL OF PRESERVING EXISTING CAPITAL ASSETS WHERE POSSIBLE AND REPLACING EXISTING CAPITAL ASSETS WHERE NECESSARY; TO PROVIDE THAT ANY REQUEST FOR NEW CONSTRUCTION SHALL IDENTIFY THE TOTAL AMOUNT OF NONSTATE FUNDS AVAILABLE TO SUPPORT THE CONSTRUCTION PROJECT AND ANY PROPOSED FUNDING SOURCE FOR FUTURE OPERATING, REPAIR AND RENOVATION COSTS; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 31-11-27, Mississippi Code of 1972, is amended as follows:

31-11-27. (1) (a) The Department of Finance and Administration shall conduct a detailed study of the building and other capital needs at each state institution and at each

community college and junior college immediately prior to September first in each year. This study shall include, but shall not be limited to, the following matters:

(i) An inventory of every state building and other capital facility which is the property of the State of Mississippi;

(ii) The location, date of construction or acquisition, the purpose for which used, outstanding indebtedness against such facility, if any, and cost of repairs for the preceding fiscal year;

(iii) An examination of the condition of the building or other facility, including current conditions and ratings of all roofs at each state agency, state institution of higher learning, community college and junior college;

(iv) An estimate of the cost of repairs required to place the facility in good condition;

(v) An estimate of the cost of major renovations, if contemplated; and

(vi) A determination of the new building and other facility needs of each institution with such needs classified under immediate or long range requirements.

(b) All state agencies, departments and institutions are hereby * * * required and directed to cooperate with the Department of Finance and Administration in carrying out the provisions of this section. For purposes of validating subsection

(1)(a)(iii) above, each roof of a building not planned for demolition must be visually inspected by institution or agency facilities' staff, by a licensed architect or engineer or by thermal imaging inspection at least every three (3) years.

(c) The Department of Finance and Administration shall submit a detailed report to the Legislative Budget Office, the House Public Property Committee and the Senate Public Property Committee on or before September first of each year. Such report shall be in such detail and in such form as may be prescribed by the Legislative Budget Office.

(d) The architect or building inspector of the Department of Finance and Administration shall make a biennial inspection of the New Capitol, Old Capitol, Woolfolk State Office Building, War Memorial Building, the Governor's Mansion, and all other buildings under jurisdiction of the Department of Finance and Administration for structural or other physical needs or defects of such buildings, and he shall further inquire of the department or its representatives regarding the condition of the buildings. He shall make a written report of his finding to the Department of Finance and Administration, Governor, Lieutenant Governor and Speaker of the House of Representatives. The report shall also make recommendations for repairs and list, by number, the priority which should be given to making necessary repairs.

(2) (a) In addition to any report required in subsection (1) of this section, the Department of Finance and Administration

shall prepare and submit an annual report to the Legislative Budget Office, the House Public * * * Property Committee and the Senate Public Property Committee describing the proposed capital improvements projects for state agencies, departments and institutions for the upcoming five-year period. The Department of Finance and Administration shall not be required to include in the report any project costing less than One Million Dollars ($1,000,000.00). The department shall submit the report before September 1 of each year. The report shall include at least the following information:

(i) A prioritized list of the projects proposed for the five-year period, with each project ranked on the basis of need, consistent with the primary goal of preserving existing capital assets where possible and replacing existing capital assets where necessary;

(ii) A prioritized list of the projects proposed for the next regular legislative session, with each project ranked on the basis of need, consistent with the primary goal of preserving existing capital assets where possible and replacing existing capital assets where necessary;

(iii) A prioritized list of the projects requested by each state agency, department or institution;

(iv) A detailed explanation of criteria used by the Department of Finance and Administration to rank projects for purposes of any list it prepares under this paragraph (a);

(v) A detailed statement of justification for each project;

(vi) The approximate cost for each project, including, but not limited to, itemized estimates of costs for preplanning, constructing, furnishing and equipping a project, and costs for property acquisition;

(vii) The estimated beginning date and completion date for each project;

(viii) Whether a project, as proposed, is a complete project or a phase or part of a project;

(ix) How a project will affect the operating budget of the applicable agency, department or institution for the upcoming five-year period, regarding such items as additional personnel requirements, utility costs, maintenance costs, security costs, etc. Any request for new construction other than replacement, or for purposes other than incidental expansion of existing facilities, shall also identify the total amount of nonstate funds to support such project;

(x) The proposed method of financing each project and the effect such financing will have on the state budget, including an estimate of any required debt service for the project, and an estimate of any federal funds or other funds that the agency, department or institution may have access to because of the project; and

(xi) A list of the projects requested by each agency, department or institution for the five-year period, with each project ranked by the appropriate agency, department or institution on the basis of need.

(b) To enable the Department of Finance and Administration to prepare the report required in this subsection (2), it may require all state agencies, departments and institutions to file a capital improvements projects request with such information and in such form and in such detail as the department may deem necessary and advisable. Such request shall be filed with the Department of Finance and Administration no later than August 1 of each year.

SECTION 2. This act shall take effect and be in force from and after July 1, 2018.

PASSED BY THE HOUSE OF REPRESENTATIVES
March 27, 2018

Philip Gunn

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 27, 2018

Tate Reeves

PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

Phil Bryant

GOVERNOR

April 13, 2018
9:16 AM