

2021 Regular Legislative Session Recap

Highlighting MAS's Proposals & Legislative Items

Today's Layout

- * Brief Pre-Session Refresher
- * Bills That Will Benefit County Government
- * Issue to Monitor Closely
- * What to Expect Going Forward

Pre-Session Refresher

2021 Proposals & Items

Legislative Proposals:

- Homestead Exemption Reimbursement
- Supervisors' Salary
- Adequate E-911 Funding
- Rural Fire Truck Funding
- First Responders Health & Safety Act

Legislative Items:

- Medicare In-Lieu
- Emergency Road & Bridge Repair Fund
- Regional County Jails
- Reverse Auction



Benefiting County Government

Unique & Unexpected Changes

Medicare In-Lieu (Senate Bill 2189)

Senate Bill 2189 – Authorizes both the county and municipality the ability to offer any Medicare eligible employee supplemental compensation, if the employee chooses to secure Medicare coverage in-lieu of the county's benefits plan.

NOTE: The provisions of this subsection shall not apply to coverage by Medicaid

NOTE: Nothing SHALL be construed to require a county or municipal employee to choose Medicare coverage in lieu of participating in any county or municipal medical or health insurance program.

NOTE: Before supplemental compensation may be provided, the employee **SHALL** provide verifiable proof that he/she has secured coverage under Medicare. Receipt of purchase for the Medicare coverage **SHALL** be provided on an annual basis to the employer.

Effective Date July 1st

Local Gov't Depositories / Reverse Auction

Senate Bill 2024 – This measure expands from time intervals of 2 years up to 4 years (*as determined by the board of supervisors*) regarding the time when counties can offer notices to all financial institutions in its county whose accounts are insured by the Federal Deposit Insurance Corporation (FDIC) to keep county funds, or any part thereof.

NOTE: In addition, in Section 2 of this law the purchasing code section was inserted, on lines 156 and 157, new language was added to exempt term contracts from the mandated reverse auction.

Effective Date July 1st

Bond Debt Flexibility

House Bill 520 – This measure allows both counties and municipalities to pledge to pay all or a portion of debt service on debt issued by said county or municipality by use of their “Use Tax” diversion.

NOTE: This utilization of funds can only be utilized for infrastructure debt. Please the follow as infrastructure debt is further defined:

- **Counties:** *Repair, Maintenance and/or Reconstruction of Roads, Streets and Bridges.*
- **Municipalities:** Repair, Maintenance and/or Reconstruction of Roads, Streets and other improvements to water infrastructure and sewer infrastructure.

Effective Date July 1st

Notice of Tax Sale

Senate Bill 2643 – With prior approval by the board of supervisors and with the acknowledgement that the board will cover any incurred costs of any initial system updates required to facilitate this action, the clerk can now choose between the sheriff or constable of the county to serve a tax notice to a reputed owner's residence.

Effective Date July 1st

E-911 Code-Section Repealer Extension

House Bill 74 – This measure extended the enactment of the Mississippi code sections that regulate 911 and E-911 Emergency Telecommunications Services. In addition, this enactment extension require the collection of service charges.

NOTE: The repealer extension was extended until year 2024.

Effective Date July 1st

Standard Issues

Rural Fire Truck Funding

House Bill 1379 – This measure contains the appropriation for the Mississippi Department of Insurance. Section 13 of this measure provides for a one year \$2,000,000.00 line-item appropriation for the Rural Fire Truck Acquisition Assistance Program.

Effective Date July 1st

Beaver Control Assistance Program

Senate Bill 2942 – This measure contains the appropriation for the Mississippi Department of Agriculture and Commerce. Section 9 of this measure provides for a one year \$1,100,000.00 line-item appropriation for the Beaver Control Assistance Program.

Effective Date July 1st

Homestead Exemption Reimbursement

Senate Bill 2923 – This measure contains the appropriation for the Mississippi Department of Revenue. Section 9 of this measure provides for a one year \$79,013,472.00 line-item appropriation for the homestead exemption reimbursement.

NOTE: This funding represents level funding from Fiscal Year 2020.

NOTE: Annual full funding is set at \$88.7 million.

Effective Date July 1st

First Responders Health & Safety Act

Senate Bill 2336 – This measure extends from year 2022 to year 2023 regarding the mandated implementation of the First Responders Health and Safety Act (*mandated defined benefits cancer policy addressing first responders' occupational hazards*). In addition, it also extends the date of show proof of providing this cancer policy from year 2023 to year 2024.

Effective Date July 1st

Omnibus Bond Bill

Senate Bill 2971 – This measure created the omnibus bond bill that funded the Institutions of Higher Learning (IHL), State Agencies, and a number of special projects and programs. In Section 6, one program that is funding that can benefit counties is the Community Heritage Preservation Grant Fund. It's funded at \$5,000,000.00

NOTE: These funds can be used to help with preserving, restoring, rehabilitating, and interpreting historic courthouses and schools. **NOTE:** In Certified Local Government Communities, these grant funds may also be used for projects involving historic buildings other than courthouses or schools. (*This grant program is administered through the Mississippi Department of Archive and History.*)

NOTE: This bond bill totals roughly \$289,000,000.00

Effective After Passage



ISSUE TO MONITOR CLOSELY

Senate Bill 2825 (Weight Limit & Agency Transfer Measure)

Senate Bill 2825 *(Weight Limit & Agency Transfer)*

Sections 1 – 18: - Transfers The Mississippi Department of Transportation (MDOT) “Enforcement Division” over to the Mississippi Department of Public Safety. Enforcement will now be under the authority of the “Public Safety Commissioner.”

- * Creation of the Dept. of Public Safety Commercial Transportation Enforcement Division
- * Funding will come from an appropriation by the Legislature and monies transferred from MDOT. (Special Fund in State Treasury: *“DPS Motor Carrier Enforcement Fund.”*)
- * Starting July 1, 2021, the enforcement and investigation of alleged violation of chapter (77-7-331), and the rules, regulations and general orders promulgated thereunder, SHALL fall under the jurisdiction of the department, through the division.

Senate Bill 2825 *(Weight Limit & Agency Transfer)* Cont'd

Sections 19 : - Date Effectiveness of the new Fines and Fines Explained / Weight Limit Increase

- * Date effectiveness of the new fines SHALL take effect June 30th 2023.
- * Fines for exceeding a “gross” vehicle weight of 90,000 pounds but less than 100,000 pounds SHALL be one thousand five hundred dollars. (\$1,500.00)
- * Fines for exceeding a “gross” vehicle weight of 100,000 pounds SHALL be two thousand five hundred dollars (\$2,500.00) for the first violation during any twelve-month period and three thousand five hundred dollars (\$3,500.00) for a second violation during any twelve-month period. Any subsequent violation of exceeding a gross vehicle weight of one hundred thousand (100,000) pounds during any twelve-month period SHALL result in the suspension of the permit holder’s harvest permit for thirty (30) days from the date of violation.
- * Harvest Permit Weight Limit Increases From 84,000 pounds to 88,000 pounds on [July 1, 2023](#)

Senate Bill 2825 *(Weight Limit & Agency Transfer)* Cont'd

Section 20: Introduces exception for last year in term expenditures

* On and after July 1, 2021, through June 30, 2023, the provisions of this section SHALL not apply to projects of any type that receive monies from the Emergency Road and Bridge Repair Fund.

Senate Bill 2825 *(Weight Limit & Agency Transfer)* Cont'd

Section 21: Introduces Weight Tolerance Increase

* Vehicles operating with a harvest permit SHALL be allowed a tolerance not to exceed ten percent (10%) above their authorized gross vehicle weight, tandem or axle weight, but the maximum gross vehicle weight of any such vehicle SHALL not exceed eighty-eight thousand (88,000) pounds.

Senate Bill 2825 *(Weight Limit & Agency Transfer)* Cont'd

Sections 22: - Moves The Appeals Board

- * Beginning July 1, 2021, the Appeals Board SHALL be administratively located within the Commercial Transportation Enforcement Division of the Mississippi Department of Public Safety and SHALL receive appeals with respect to penalties for excess weight assessed by agents or employees of the Commercial Transportation Enforcement Division.

Senate Bill 2825 *(Weight Limit & Agency Transfer)* Cont'd

Sections 23: - Establishes the Harvest Permit Transportation Stewardship Council

* Goal: To advise the Legislature on policy and to make best practices recommendation to harvest permit holders and receiving facilities for the purpose of deterring overweight hauling and protecting the state's infrastructure system.

* Meeting Time: SHALL meet annually with the Senate/House Agriculture Committee Chairs, Senate/House Forestry Committee Chairs, & the Senate/House Transportation Committee Chairs. Council SHALL provide reports and testimony to the Legislature "upon request."

* Council Members: Lt. Governor or designee; Speaker of the House or designee; DPS Commissioner or designee; Executive Director of MDOT; State Aid Engineer; Commission or Agriculture or designee; President of the MS Forestry Association or designee; President of the MS Farm Bureau or designee; President of the MS Cattlemen's Association or designee; President of the MS Loggers Association or designee; President of the MS Feed and Grain Association or designee; Chairman of the MS Trucking Association or designee; President of the MS Delta Council or designee; President of the MS Association of Supervisors or designee; President of the MS Municipal League or designee

Senate Bill 2825 *(Weight Limit & Agency Transfer)* Cont'd

Sections 24: - Add Money to the Emergency Road and Bridge Repair Fund (ERBR)

* On July 1, 2023, Eighty-nine Million Dollars (\$89,000,000.00) of Highway Infrastructure Program funds received by the state pursuant to the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 SHALL be transferred to the Emergency Road and Bridge Repair Fund. .

Sections 25: - Section 1 of this act SHALL be codified in Title 77, Chapter 7, Mississippi Code of 1972

Sections 26: - Effectiveness of the Law

* Section 21 of this act SHALL take effect and be in force from and after July 1, 2023, and the remaining sections of this act SHALL take effect and be in force from and after July 1, 2021



What to Expect Going Forward

Leadership Issues / MAS Issues

- * Mississippi Tax Freedom Act ([House Bill 1439](#)) *Speaker Gunn*
- * Statewide Fuel Tax Referendum ([House Bill 1364](#)) *Rep. Lamar*
- * Supervisor Salary Adjustment ([House Bill 1155](#)) *Rep. Barton*
- * Long-Term/Adequate E-911 Funding ([Senate Bill 2421](#)) *Sen. Delano*
- * Mandated Increased Rate Pay to county for State Inmates ([Senate Bill 2553](#)) *Sen. Sparks*

Questions