

By: Representative Evans

To: Education; Ways and
Means

HOUSE BILL NO. 392

1 AN ACT TO AMEND SECTION 37-59-17, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE SCHOOL DISTRICTS HAVING NO BONDED INDEBTEDNESS TO
3 ISSUE SCHOOL BONDS UPON THE APPROVAL OF A MAJORITY OF THE
4 QUALIFIED ELECTORS VOTING ON THE QUESTION OF THE ISSUANCE OF
5 SCHOOL BONDS; AND FOR RELATED PURPOSES.

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

7 SECTION 1. Section 37-59-17, Mississippi Code of 1972, is
8 amended as follows:

9 37-59-17. When the results of the election on the question
10 of the issuance of such bonds shall have been canvassed by the
11 election commissioners of such county or municipality, and
12 certified by them to the school board of the school district, it
13 shall be the duty of such school board to determine and adjudicate
14 whether or not three-fifths (3/5) of the qualified electors who
15 voted in such election voted in favor of the issuance of such
16 bonds. However, if the school district has no outstanding bonded
17 indebtedness, the school board shall determine and adjudicate
18 whether or not a majority of the qualified electors who voted in
19 an election on the question of the issuance of bonds voted in
20 favor of the issuance of the bonds. Unless three-fifths (3/5) of
21 the qualified electors, or a majority of the qualified electors in
22 the case of a school district with no bonded indebtedness, who
23 voted in such election shall have voted in favor of the issuance
24 of such bonds, then such bonds shall not be issued. Should
25 three-fifths (3/5) of the qualified electors or a majority of the
26 qualified electors, as the case may be, who vote in such election
27 vote in favor of the issuance of such bonds, then the school board

28 of such school district shall issue such bonds, either in whole or
29 in part, within two (2) years from the date of such election, or
30 within two (2) years after the final favorable termination of any
31 litigation affecting the issuance of such bonds, as such school
32 board shall deem best.

33 SECTION 2. The Attorney General of the State of Mississippi
34 shall submit this act, immediately upon approval by the Governor,
35 or upon approval by the Legislature subsequent to a veto, to the
36 Attorney General of the United States or to the United States
37 District Court for the District of Columbia in accordance with the
38 provisions of the Voting Rights Act of 1965, as amended and
39 extended.

40 SECTION 3. This act shall take effect and be in force from
41 and after the date it is effectuated under Section 5 of the Voting
42 Rights Act of 1965, as amended and extended.