

By: Senator(s) Burton

To: Fees, Salaries and  
Administration

SENATE BILL NO. 2026

1 AN ACT TO AMEND SECTION 43-33-7, MISSISSIPPI CODE OF 1972, TO  
2 AUTHORIZE PER DIEM COMPENSATION FOR HOUSING AUTHORITY  
3 COMMISSIONERS; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 43-33-7, Mississippi Code of 1972, is  
6 amended as follows:

7 43-33-7. When the governing body of a city adopts a  
8 resolution as provided in Section 43-33-5, such governing body  
9 shall forthwith appoint five (5) persons as commissioners of the  
10 authority created for said city. When the governing body of a  
11 county adopts a resolution as provided in Section 43-33-5, said  
12 governing body shall appoint five (5) commissioners for said board  
13 created for said county. The commissioners who are first  
14 appointed shall be designated to serve for terms of one (1), two  
15 (2), three (3), four (4) and five (5) years, respectively, from  
16 the date of their appointment, and thereafter when a vacancy shall  
17 occur either by the expiration of term of office or otherwise, the  
18 vacancy shall be filled by the governing body of the city or  
19 county, as the case may be, either to fill an unexpired term where  
20 a commissioner shall die or resign or shall become disqualified  
21 during his term, or for a full term of five (5) years where the  
22 term of a commissioner expires. No commissioner of an authority  
23 may be an officer or employee of the city or county for which the  
24 authority is created. A commissioner shall hold office until his  
25 successor has been appointed and has qualified. A certificate of  
26 the appointment or reappointment of any commissioner shall be

27 filed with the clerk of the city or county as the case may be and  
28 such certificate shall be conclusive evidence of the due and  
29 proper appointment of such commissioner. A commissioner shall  
30 receive \* \* \* compensation for his services in the manner and  
31 amount authorized in Section 25-3-69 for up to fifteen (15) days  
32 during the fiscal year of the authority, and he shall also be  
33 entitled to \* \* \* necessary expenses, including traveling  
34 expenses, incurred in the discharge of his duties.

35 The powers of each authority shall be vested in the  
36 commissioners thereof in office from time to time. Three (3)  
37 commissioners shall constitute a quorum of the authority for the  
38 purpose of conducting its business and exercising its powers and  
39 for all other purposes. Action may be taken by the authority upon  
40 a vote of a majority of the commissioners present, unless in any  
41 case the bylaws of the authority shall require a larger number.  
42 The board of commissioners shall elect which member shall be  
43 chairman and thereafter fill any vacancy by like election. An  
44 authority shall select from among its commissioners a  
45 vice-chairman, and it may employ a secretary (who shall be  
46 executive director), technical experts and such other officers,  
47 agents and employees, permanent and temporary, as it may require,  
48 and shall determine their qualifications, duties and compensation.  
49 For such legal services as it may require, an authority may call  
50 upon the chief law officer of the city or the county or may employ  
51 its own counsel and legal staff. An authority may delegate to one  
52 or more of its agents or employees such powers or duties as it may  
53 deem proper.

54 SECTION 2. This act shall take effect and be in force from  
55 and after its passage.