

By: Senator(s) Burton

To: Fees, Salaries and
Administration

SENATE BILL NO. 2026
(As Passed the Senate)

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.