

By: Senator(s) Hamilton

To: Agriculture

SENATE BILL NO. 2388
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 79-17-13, MISSISSIPPI CODE OF 1972,
2 TO REDUCE THE MINIMUM NUMBER OF MEMBERS REQUIRED TO FORM
3 AGRICULTURAL ASSOCIATIONS; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 79-17-13, Mississippi Code of 1972, is
6 amended as follows:

7 79-17-13. Three (3) or more producers of agricultural
8 products in the State of Mississippi who may desire that they,
9 their associates and successors shall come under this chapter and
10 enjoy its benefits may enter into articles of association and
11 incorporation, which shall set forth the name of the organization,
12 the period of its existence (which shall be for not more than
13 ninety-nine (99) years), its domicile, and that it is to be
14 organized and operated under this chapter. Such articles shall be
15 in duplicate and signed and acknowledged by all those named
16 therein and filed with the Secretary of State of Mississippi.
17 Upon the receipt of Twenty-five Dollars (\$25.00) as a recording
18 fee, the Secretary of State shall file both of said copies,
19 endorsing thereon over his official signature the filing and the
20 date thereof. Thereupon and by such filing and endorsement, said
21 association described in the said articles shall be and become a
22 complete and valid corporation without capital stock and without
23 individual liability on the part of the organizers, their
24 associates and successors, who may become members of such
25 incorporated association, or on the part of the directors and
26 officers of such organization, notwithstanding indebtedness be

27 incurred by said corporation and it be without capital stock.
28 Such articles when so filed shall be the charter of such
29 corporation. Upon the filing and endorsement of the articles as
30 aforesaid, the Secretary of State shall return one (1) of said
31 copies of said articles to said corporation, which shall have the
32 same recorded in the record of charters in the office of the clerk
33 of the chancery court of the county in which the principal office
34 or place of business of such corporation is located, and the
35 Secretary of State shall retain the other copy of said articles
36 for his files and record it and said endorsements thereon in the
37 records of charters in his office. Such articles may be amended
38 by the same procedure except that the proposed amendment shall be
39 signed by two (2) executive officers, only after authority given
40 by the vote of a majority of the members present at any membership
41 meeting duly called and held; provided, however, that notice of
42 such meeting and a statement of the substance of the proposed
43 amendment to the articles of association and incorporation shall
44 be mailed or delivered by hand to all members of the incorporated
45 association at least fifteen (15) days prior to the date of such
46 meeting. The recording fee for an amendment to such articles
47 shall be Twenty Dollars (\$20.00).

48 SECTION 2. This act shall take effect and be in force from
49 and after July 1, 1999.