

By: Horne

To: Appropriations

HOUSE BILL NO. 982

1 AN ACT TO AMEND SECTION 31-8-11, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THAT AN ELECTION BE HELD ON THE ISSUE OF A COUNTY OR
3 MUNICIPALITY ENTERING INTO CERTAIN LEASE AGREEMENTS; AND FOR
4 RELATED PURPOSES.

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

6 SECTION 1. Section 31-8-11, Mississippi Code of 1972, is
7 amended as follows:

8 31-8-11. Before entering into any lease agreement pursuant
9 to this chapter * * *u the governing authorities of any county or
10 municipality shall publish notice of their intention to receive
11 suitable proposals for the leasing of such buildings, facilities
12 or equipment. Such notice shall specify the nature of the
13 proposed building, facility or equipment, the general geographic
14 area in which the same is to be located, the term of the proposed
15 lease agreement, if the obligation to pay rentals during the
16 primary term is to be a continuing obligation of and a charge
17 against the general credit and leasing power of the county or
18 municipality, and the date and hour on or before which such
19 proposals may be received. Such notice shall be published by
20 municipalities and counties in the same manner as required for
21 publishing notice of intention to issue general obligation bonds
22 of the county or municipality, as appropriate. * * * An election
23 shall be called by the county in the same manner as provided for
24 the issuance of county general obligation bonds in Sections
25 19-9-11 through 19-9-17, Mississippi Code of 1972, or by a
26 municipality in the same manner as provided for the issuance of
27 municipal general obligation bonds in Sections 21-33-307 through

28 21-33-311, Mississippi Code of 1972, to determine whether or not
29 the proposed lease agreement may be executed by the county or
30 municipality. The lease agreement shall be advertised for
31 competitive sealed proposals once each week for two (2)
32 consecutive weeks in a regular newspaper published or having a
33 general circulation in the county or municipality of the governing
34 authority. The date as published for the proposal opening shall
35 be not less than five (5) working days after the last published
36 notice. The lease shall be awarded to the person submitting the
37 lowest and best proposal; however, all proposals may be rejected.

38 SECTION 2. This act shall take effect and be in force from
39 and after July 1, 2000.