

By: West

To: Education

## HOUSE BILL NO. 1303

1 AN ACT TO AMEND SECTION 37-7-717, MISSISSIPPI CODE OF 1972,  
2 TO DELETE THE AUTHORITY OF BOARDS OF SUPERVISORS AND MUNICIPAL  
3 GOVERNING AUTHORITIES IN COUNTIES COMPRISING A SPECIAL MUNICIPAL  
4 SEPARATE SCHOOL DISTRICT TO APPOINT THE MEMBERS OF THE BOARD OF  
5 TRUSTEES OF SUCH SCHOOL DISTRICT; TO AMEND SECTION 37-7-715,  
6 MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT THAT  
7 AGREEMENTS BETWEEN BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING  
8 AUTHORITIES ESTABLISHING THE MANNER FOR THE SELECTION OF THE  
9 TRUSTEES OF SUCH SCHOOL DISTRICT BE ENTERED INTO WITHIN SIXTY DAYS  
10 OF THE ORGANIZATION OF SUCH SCHOOL DISTRICT; TO AMEND SECTION  
11 37-7-703, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE  
12 PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

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

14 SECTION 1. Section 37-7-717, Mississippi Code of 1972, is  
15 amended as follows:[BD1]

16 37-7-717. Upon complying with the terms and provisions of  
17 Section 37-7-715, \* \* \* the board of supervisors of any county  
18 wherein there is a special municipal separate school district and  
19 the governing authorities of the municipality may provide that the  
20 board of trustees of such special municipal separate school  
21 district shall be organized and constituted in one (1) of the  
22 following manners:

23 \* \* \*

24 (a) In case of a special municipal separate school  
25 district which embraces the entire county, the board of trustees  
26 may be constituted and selected in accordance with the terms and  
27 provisions of Sections 37-7-707 through 37-7-711, with the  
28 exception that one (1) member of such board shall be elected by  
29 each supervisors district and shall be a resident and qualified  
30 elector of the district from which he is elected.

31 (b) In case of a special municipal separate school

32 district embracing the entire county, the board of trustees may be  
33 constituted and selected in accordance with the terms and  
34 provisions of Section 37-7-713.

35 SECTION 2. Section 37-7-715, Mississippi Code of 1972, is  
36 amended as follows:[BD2]

37 37-7-715. \* \* \* The board of supervisors of a county wherein  
38 a special municipal separate school district is located and the  
39 governing authorities of the municipality may, by an order spread  
40 upon their minutes \* \* \* expressing an agreement between both such  
41 governing authorities, choose to constitute the board of such  
42 special municipal separate school district under one (1) of the  
43 optional methods of organization set out in Section 37-7-717. In  
44 the event that both the governing authorities hereinabove referred  
45 to shall enter such an order \* \* \*, then the \* \* \* board of  
46 trustees shall be thereafter constituted and selected according to  
47 the terms of such agreement, provided such agreement is in  
48 conformity with the terms of Section 37-7-717. It is further  
49 expressly provided that irregularities of a procedural nature in  
50 the adoption of such orders shall not affect the validity of the  
51 same or the validity of any acts of the board of trustees which  
52 may be constituted by virtue thereof.

53 SECTION 3. Section 37-7-703, Mississippi Code of 1972, is  
54 amended as follows:[BD3]

55 37-7-703. In all such special municipal separate school  
56 districts which embrace the entire county in which, according to  
57 the latest available federal census, a majority of the inhabitants  
58 of the county reside within the corporate limits of the  
59 municipality, the board of trustees of such special municipal  
60 separate school district shall be chosen and selected in the  
61 manner provided by paragraph (a) of Section 37-7-717, and all of  
62 the provisions thereof shall be fully applicable in all respects  
63 to the selection and constitution of such board of trustees.

64 SECTION 4. The Attorney General of the State of Mississippi

65 shall submit this act, immediately upon approval by the Governor,  
66 or upon approval by the Legislature subsequent to a veto, to the  
67 Attorney General of the United States or to the United States  
68 District Court for the District of Columbia in accordance with the  
69 provisions of the Voting Rights Act of 1965, as amended and  
70 extended.

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