

By: Gadd

To: Local and Private
Legislation; Ways and
MeansHOUSE BILL NO. 1732
(As Sent to Governor)

1 AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF
2 SNOW LAKE SHORES TO CHARGE AND COLLECT FROM EACH HOMEOWNER AND
3 BUSINESS OWNER OF THE TOWN A MONTHLY ASSESSMENT FOR THE PURPOSE OF
4 PROVIDING FIRE PROTECTION AND OTHER EMERGENCY SERVICES FOR THE
5 RESIDENTS OF THE TOWN; TO AUTHORIZE THE GOVERNING AUTHORITIES TO
6 ENTER INTO AN AGREEMENT WITH ANY COUNTY VOLUNTEER FIRE DEPARTMENT
7 IN BENTON COUNTY FOR THE FIRE DEPARTMENT TO PROVIDE FIRE
8 PROTECTION AND OTHER EMERGENCY SERVICES FOR THE RESIDENTS OF THE
9 TOWN, AND TO USE ANY OF THE FUNDS RECEIVED FROM THE MONTHLY
10 ASSESSMENT TO PAY THE COUNTY VOLUNTEER FIRE DEPARTMENT FOR
11 PROVIDING THOSE SERVICES; TO REQUIRE THE GOVERNING AUTHORITIES TO
12 HOLD A REFERENDUM ON THE QUESTION OF CHARGING THE ASSESSMENT
13 BEFORE IT MAY BE CHARGED AND COLLECTED; AND FOR RELATED PURPOSES.

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

15 SECTION 1. (1) Subject to the provisions of subsection (2),
16 the governing authorities of the Town of Snow Lake Shores,
17 Mississippi, in their discretion, are authorized to:

18 (a) Charge and collect from each homeowner and business
19 owner in the town an assessment of not more than Five Dollars
20 (\$5.00) per month, which shall be used by the town for the purpose
21 of providing fire protection and other emergency services for the
22 residents of the town;

23 (b) Enter into an agreement with any county volunteer
24 fire department in Benton County, Mississippi, for the fire
25 department to provide fire protection and other emergency services
26 for the residents of the town; and

27 (c) Use any of the funds received from the monthly
28 assessment under paragraph (a) to pay the county volunteer fire
29 department for providing fire protection and other emergency
30 services for the residents of the town.

31 (2) Before the assessment authorized by this section may be

32 charged and collected, the governing authorities of the Town of
33 Snow Lake Shores must adopt a resolution declaring their intention
34 to charge the assessment, setting forth the amount of the
35 assessment, providing that a referendum shall be held on the
36 question of charging the assessment, and setting the date of the
37 referendum. Notice of the governing authorities' intention to
38 charge the assessment and notice of the referendum shall be
39 published once a week for at least three (3) consecutive weeks in
40 a newspaper published or having a general circulation in the town,
41 with the first publication of the notice to be made not less than
42 twenty-one (21) days before the date fixed in the resolution for
43 the referendum and the last publication to be made not more than
44 seven (7) days before that date. The referendum shall be
45 conducted in the same manner as other elections are conducted in
46 the town. At the referendum, all qualified electors of the town
47 may vote, and the ballots used in the referendum shall have
48 printed on them a brief statement of the amount and purposes of
49 the proposed assessment and the words "FOR THE ASSESSMENT," and
50 "AGAINST THE ASSESSMENT," and the voters shall vote by placing a
51 cross (X) or check (V) opposite their choice on the proposition.
52 The results of any such referendum shall be determined and
53 certified by the election commission of the town, and if a
54 majority of the qualified electors who vote in the referendum vote
55 in favor of the assessment, then the town may charge and collect
56 the assessment authorized in this section.

57 SECTION 2. The governing authorities of the Town of Snow
58 Lake Shores shall submit this act, immediately upon approval by
59 the Governor, or upon approval by the Legislature subsequent to a
60 veto, to the Attorney General of the United States or to the
61 United States District Court for the District of Columbia in
62 accordance with the provisions of the Voting Rights Act of 1965,
63 as amended and extended.

64 SECTION 3. This act shall take effect and be in force from

65 and after the date it is effectuated under Section 5 of the Voting
66 Rights Act of 1965, as amended and extended.