

By: Representatives Pierce, West

To: County Affairs

HOUSE BILL NO. 47
(As Passed the House)

1 AN ACT TO AMEND SECTION 19-5-93, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY, IN ITS
3 DISCRETION, TO DONATE MONEY TO THE SALVATION ARMY, TO THE SPECIAL
4 OLYMPICS, TO THE SENIOR OLYMPICS, TO THE UNITED NEGRO COLLEGE
5 FUND, TO THE SICKLE CELL ANEMIA FOUNDATION, TO THE BOYS AND GIRLS
6 CLUB AND FOR THE UPKEEP AND MAINTENANCE OF CEMETERIES AND GRAVES
7 HAVING HISTORICAL SIGNIFICANCE AND VALUE; TO AUTHORIZE ANY SHERIFF
8 OR HIS DESIGNEE TO USE COUNTY PRISON LABOR TO PRESERVE AND
9 MAINTAIN CERTAIN CEMETERIES; TO AUTHORIZE THE BOARD OF SUPERVISORS
10 OF TALLAHATCHIE COUNTY TO CONTRIBUTE TO EXPENSES FOR UPKEEP AND
11 IMPROVEMENT OF THE NEIGHBORHOOD FACILITY BUILDING; AND FOR RELATED
12 PURPOSES.

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

14 SECTION 1. Section 19-5-93, Mississippi Code of 1972, is
15 amended as follows:

16 19-5-93. The board of supervisors of each county is hereby
17 authorized, in its discretion, to donate money for the objects and
18 purposes following, to wit:

19 (a) **Confederate graves.** For the location, marking,
20 care and maintenance of the grave or graves and graveyard of
21 Confederate soldiers or sailors who died in the Confederate
22 service, and the purchase, if necessary, of the land on which any
23 of the said graveyards may be situated, and the erection and
24 maintenance of appropriate monuments and appropriate inscriptions
25 thereon. In the exercise of this power the board is fully
26 authorized to accept donations of land on which any of said
27 graveyards may be situated and also money or funds to be used for
28 any of the purposes in this section expressed.

29 Any board of supervisors may, in its discretion, contribute
30 money to be used for the upkeep of graves of the Confederate dead
31 in its county.

32 (b) **Care of the aged.** For the support and maintenance
33 of such residents of the county who are worthy indigent aged
34 inmates of the Old Ladies' Home of Jackson, Mississippi, or of the
35 Golden Age Nursing Home and Hospital for North Mississippi of
36 Greenwood, Mississippi, and not exceeding Five Hundred Dollars
37 (\$500.00) per annum for the support of the county's inmates of the
38 Old Men's Home, located near Jackson, Mississippi, and in addition
39 thereto a sum not exceeding Two Hundred Dollars (\$200.00) per
40 annum to each of said institutions for their support and
41 maintenance in the care of the aged.

42 (c) **King's Daughters.** To the King's Daughters in their
43 respective counties for charities under their supervision.

44 (d) **Travelers Aid Society.** A sum of money not
45 exceeding Fifteen Dollars (\$15.00) per month for the support of
46 the organization known as the Travelers Aid Society, provided the
47 same is nonsectarian.

48 (e) **Hospitals for pellagra sufferers.** For the
49 establishment and maintenance of a hospital for the treatment of
50 persons afflicted with pellagra. For this purpose the board may
51 issue bonds and incur such indebtedness within the limits now
52 authorized by law.

53 (f) **Tubercular hospitals.** For the establishment and
54 maintenance of a hospital for the care and treatment of persons
55 suffering from tuberculosis. In the execution of this power the
56 board may select trustees to establish and operate said hospital.
57 In counties having a population of more than forty thousand
58 (40,000) people, as shown by the latest United States census, the
59 board may set aside, appropriate and expend moneys from the
60 general fund for the purpose of aiding in the maintenance and
61 support of hospitals maintained and operated in such county for
62 the care and treatment of persons suffering from tuberculosis.
63 The moneys shall be expended by the board through such trustees,
64 not less than three (3) and not more than five (5), to be elected

65 by the board of supervisors annually. The trustees shall file
66 reports with the board at least once every six (6) months showing
67 in detail all expenditures made by them and the number of patients
68 which have been for the preceding period aided or cared for by the
69 institution, and the board may otherwise require a strict
70 accounting of the administration of said funds.

71 (g) **Same -- additional provisions.** The boards of
72 supervisors of one or more counties are hereby authorized and
73 empowered, in their discretion, separately or jointly, to acquire
74 by gift, purchase or lease, real estate, for tubercular hospital
75 purposes, and to own, erect, build, establish, maintain, regulate
76 and support a tubercular hospital and to remodel buildings on such
77 property to be used for such hospital purposes.

78 In the event the boards of supervisors of two (2) or more
79 counties agree to cooperate in establishing and maintaining such
80 hospital, the board of supervisors of each of said counties shall
81 adopt a resolution agreeing to the proportionate part each county
82 will contribute to the establishment and maintaining of such
83 hospital.

84 Each county operating under the provisions of this subsection
85 is hereby authorized and empowered to set aside, appropriate and
86 expend moneys from the general fund for the purpose of erecting,
87 maintaining and operating such hospital.

88 (h) **Charity wards in hospitals.** A sum of money not
89 exceeding One Hundred Dollars (\$100.00) per month to maintain a
90 charity ward or wards in any hospital in their respective
91 counties, or in the event there shall be no hospital in such
92 county, then a like sum, in their discretion, to maintain a
93 charity ward or wards in any hospital in any adjoining county
94 receiving and treating patients from such county having no
95 hospital.

96 (i) **Same -- coast counties.** The several counties of
97 this state bordering on the tidewater of the Gulf of Mexico are

98 hereby authorized and empowered, in the discretion of the proper
99 authorities thereof, to appropriate such a sum of money as said
100 authorities shall deem reasonable, to provide and maintain a
101 charity ward or wards, in any of the hospitals in said counties,
102 or, in the discretion of said authorities, to make and enter into
103 contracts with any such hospitals for the treatment and care in
104 such hospitals of the indigent sick of said counties, and to pay
105 therefor out of the general fund of such counties such sum or sums
106 as shall be a reasonable and just compensation to said hospital.
107 However, the board of supervisors of any county mentioned herein
108 may, in its discretion, make and enter into contracts with any
109 hospital in any adjoining county receiving and treating patients
110 from the respective counties mentioned herein in such hospitals of
111 the indigent sick of said counties, mentioned herein, and to pay
112 therefor out of the general fund of such county, such sum or sums
113 that shall be reasonable and just to said hospitals.

114 (j) **Public libraries.** A sum not to exceed One Thousand
115 Dollars (\$1,000.00) per annum toward the support and maintenance
116 of one or more public libraries situated in the county. In any
117 county whose total assessed valuation, including railroads and all
118 public utilities, is more than Eighteen Million Dollars
119 (\$18,000,000.00) the board, in its discretion, may appropriate a
120 sum not to exceed Three Thousand Dollars (\$3,000.00) per annum for
121 public libraries.

122 The board may also give or donate any legislative journals,
123 constitutional convention journals, printed official reports of
124 any state or county officers, official reports of departments,
125 bureaus or officers of the United States, and copies of the acts
126 of the Legislature or laws of Mississippi now or hereafter in the
127 county library of such county and not needed, in the opinion of
128 the board in the county library (but not including any Mississippi
129 reports and not including any acts of the Legislature or laws of
130 the state, unless such acts or laws be more than twenty (20) years

131 old) to any library or library association or foundation or
132 organization maintaining a free public library for reference or
133 otherwise, provided such library, association, foundation or
134 organization owns free from encumbrance a fireproof library
135 building located in this state, in which building said journals,
136 reports, acts and laws may be and shall be deposited where
137 received under this subsection and made accessible under
138 reasonable regulations to the general public. Such library,
139 association, foundation or organization shall not have the right
140 to sell or otherwise dispose of said journals, reports, acts and
141 laws. Said journals, reports, acts and laws may be returned to
142 the county library from which received without expense to the
143 county, or to the state library, without expense to the state, at
144 any time by the library, association, foundation or organization
145 receiving the same.

146 Any gift or donation made by the board of supervisors of any
147 county under the authority of this subsection shall be evidenced
148 by an order spread upon the minutes of said board. The county
149 shall bear no expense in connection with any donation. The
150 sheriff of the county, or the custodian of the county library,
151 shall deliver to the representative of the library, association,
152 foundation or organization entitled to receive the same any of
153 said journals, reports, acts, laws and official publications in
154 accordance with the directions contained in any order of the board
155 of supervisors for the delivery of the same, and shall take proper
156 receipt from the party receiving the same, and shall deliver such
157 receipt to the clerk of the board of supervisors of the county,
158 and the board of supervisors shall have the said receipt entered
159 in full on the minutes of the board.

160 Any library, association, foundation or organization
161 receiving any gift or donation from any county under this
162 subsection shall report in writing to the board of supervisors,
163 from which such gifts or donations have been received every two

164 (2) years, that the gifts and donations so received are still in
165 the possession of the donee and are accessible to the general
166 public. If any of the gifts or donations so received have been
167 lost, destroyed or have otherwise disappeared, report thereof
168 shall be made.

169 If any library, association, foundation or organization
170 receiving gifts or donations under this subsection shall cease
171 operating as a free public library or shall cease to be the owner
172 of a fireproof building in which it keeps and maintains a free
173 public library, for reference or otherwise, the said library,
174 association, foundation or organization shall thereupon
175 immediately return to the county library, without expense to the
176 county, or to the state library, without expense to the state, any
177 gifts or donations it may have received under this subsection.

178 (k) **Patriotic organizations and memorials.** A sum not
179 to exceed Five Thousand Dollars (\$5,000.00) to build or aid any
180 post of the American Legion, any chapter of the Daughters of the
181 American Revolution, any chapter of the United Daughters of the
182 Confederacy, or any post, unit or chapter of any patriotic
183 organization within the county in building a memorial to the
184 veterans of World War I and World War II; and a sum not to exceed
185 One Thousand Dollars (\$1,000.00) to aid in defraying the cost of
186 the erection of suitable memorials to deceased soldiers, sailors
187 and marines of the late world wars. Such appropriation may be
188 made, even though no provision has been made therefor in the
189 county budget.

190 (l) **American Red Cross.** Any board of supervisors of
191 any county in this state is hereby authorized and empowered, in
192 its discretion, to donate annually, out of any moneys in its
193 respective treasury, to be drawn by warrant thereon, a sum not
194 exceeding One Hundred Dollars (\$100.00) per million of assessed
195 valuation to the support of a local chapter of the American Red
196 Cross.

197 (m) **St. Jude Hospital.** For the payment of mileage
198 expense for transporting persons to St. Jude Hospital in Memphis,
199 Tennessee, for treatment. The mileage shall be based on a
200 round-trip basis from the patient's place of residence to St. Jude
201 Hospital at the mileage rate set forth in Section 25-3-41.

202 (n) **Public museums.** For the support and maintenance of
203 such public museums located in the county constituted under the
204 provisions of Chapter 9, Title 39, Mississippi Code of 1972.

205 (o) **Domestic violence shelters.** The board of
206 supervisors of any county in this state is hereby authorized and
207 empowered, in its discretion, to donate annually out of any money
208 in the county treasury, such sums as the board deems advisable to
209 support any domestic violence shelter or rape crisis center
210 operating within or serving its area. For the purposes of this
211 section, "rape crisis center" means a place established to provide
212 care, counseling and related services to victims of rape,
213 attempted rape, sexual battery or attempted sexual battery.

214 (p) **Literacy programs.** The board of supervisors of any
215 county in this state is hereby authorized and empowered, in its
216 discretion, to donate out of the general fund of the county such
217 sum of money as the board deems reasonable to any literacy program
218 being conducted within the county.

219 (q) **Care of neglected children.** The board of
220 supervisors of any county in this state, in its discretion, may
221 donate annually out of any money in the county treasury such sums
222 as the board deems advisable to support any residential group home
223 for the abused, abandoned or neglected children which operates
224 within or serves the county. For the purposes of this paragraph
225 the term "residential group home" means a group residence
226 established to provide care and counseling, and to serve as a
227 home, for children who are the victims of abuse, neglect or
228 abandonment.

229 (r) **Salvation Army.** The board of supervisors of any
230 county in this state, in its discretion, may donate annually out
231 of any money in the county treasury such sums as the board deems
232 advisable to support the Salvation Army.

233 (s) **Special olympics.** The board of supervisors of any
234 county in this state, in its discretion, may donate out of the
235 general fund of the county such sum of money as the board deems
236 advisable, not to exceed One Thousand Dollars (\$1,000.00)
237 annually, to support and assist the special olympics and
238 participants in such event.

239 (t) **Senior olympics.** The board of supervisors of any
240 county in this state, in its discretion, may donate out of the
241 general fund of the county such sum of money as the board deems
242 advisable, not to exceed One Thousand Dollars (\$1,000.00)
243 annually, to support and assist the senior olympics and
244 participants in such event.

245 (u) **Historical cemeteries.** The board of supervisors of
246 any county in this state, in its discretion, may donate out of the
247 general fund of the county such sum of money as the board deems
248 advisable for the upkeep and maintenance of cemeteries and graves
249 within the county that the board determines to be of historical
250 significance and value.

251 (v) **United Negro College Fund (UNCF).** The board of
252 supervisors of any county in this state, in its discretion, may
253 donate out of the general fund of the county such sum of money as
254 the board deems advisable, not to exceed One Thousand Dollars
255 (\$1,000.00) annually, to support and assist the United Negro
256 College Fund (UNCF) and participants in such event.

257 (w) **Sickle Cell Anemia Foundation.** The board of
258 supervisors of any county in this state, in its discretion, may
259 donate out of the general fund of the county such sum of money as
260 the board deems advisable, not to exceed One Thousand Dollars

261 (\$1,000.00) annually, to support and assist the Sickle Cell Anemia
262 Foundation and participants in such event.

263 The board of supervisors of any county in this state, in its
264 discretion, may donate out of the general fund an amount not to
265 exceed One Thousand Dollars (\$1,000.00) to the Boys and Girls
266 Club.

267 Any sheriff or his designee may use any person who has been
268 convicted of a nonviolent felony and who is serving all or any
269 part of his sentence in the county jail to clear, clean,
270 stabilize, preserve, maintain and restore historic cemeteries that
271 have been entered in the National Register of Historic Places or
272 that have been designated as a historically significant abandoned
273 cemetery by the Board of Trustees of the Department of Archives
274 and History under the provision of Section 39-5-19. However,
275 before undertaking work on a cemetery, the sheriff or his designee
276 shall contact the Department of Archives and History for
277 instructions on the appropriate manner of preservation and
278 restoration of a historical cemetery.

279 SECTION 2. The Board of Supervisors of Tallahatchie County
280 may donate to the City of Charleston, Mississippi, up to One
281 Thousand Dollars (\$1,000.00) for repair, upkeep, refurbishment,
282 improvement or equipping or for reimbursement for performance of
283 said activities of the building in Tallahatchie County,
284 Mississippi, known as the "Neighborhood Facility Building." This
285 section shall stand repealed on October 1, 2002.

286 SECTION 3. This act shall take effect and be in force from
287 and after its passage.