

By: Representative Reeves

To: Ways and Means

HOUSE BILL NO. 844

1 AN ACT TO REENACT SECTIONS 21-33-501 THROUGH 21-33-525,  
 2 MISSISSIPPI CODE OF 1972, WHICH AUTHORIZE THE ESTABLISHMENT OF  
 3 SPECIAL LOCAL IMPROVEMENT TAXING DISTRICTS IN CERTAIN  
 4 MUNICIPALITIES, AND PROVIDE FOR THE ESTABLISHMENT, FUNDING AND  
 5 MANAGEMENT OF SPECIAL LOCAL IMPROVEMENT TAXING DISTRICTS; TO AMEND  
 6 REENACTED SECTIONS 21-33-501, 21-33-503, 21-33-505, 21-33-507 AND  
 7 21-33-509, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF  
 8 THE TERM "MUNICIPALITY" FOR PURPOSES OF SPECIAL LOCAL IMPROVEMENT  
 9 TAXING DISTRICTS; TO REVISE THE PROCEDURES FOR ESTABLISHING,  
 10 FUNDING AND MANAGING CERTAIN SPECIAL LOCAL IMPROVEMENT TAXING  
 11 DISTRICTS; TO AMEND SECTION 14, CHAPTER 573, LAWS OF 1993, AS  
 12 AMENDED BY SECTION 14, CHAPTER 502, LAWS OF 1998, TO EXTEND THE  
 13 REPEALER ON THE SECTIONS OF LAW THAT AUTHORIZE THE ESTABLISHMENT  
 14 OF SPECIAL LOCAL IMPROVEMENT TAXING DISTRICTS IN CERTAIN  
 15 MUNICIPALITIES; AND FOR RELATED PURPOSES.

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

17 SECTION 1. Section 21-33-501, Mississippi Code of 1972, is  
 18 reenacted and amended as follows:

19 **[Until Laws of 2000, Chapter 459, Section 1, is effectuated**  
 20 **under Section 5 of the Voting Rights Act of 1965, this section**  
 21 **will read as follows:]**

22 21-33-501. For the purposes of this article, the following  
 23 words and phrases shall have the meanings ascribed herein unless  
 24 the context clearly indicates otherwise:

25 (a) "Issuing authority" means any municipality or any  
 26 urban renewal agency or redevelopment authority within such city  
 27 or town having authority to issue bonds pursuant to this article.

28 (b) "Local improvements" means (i) any improvements  
 29 constructed within a special local improvement taxing district or  
 30 services established under this article to improve the appearance  
 31 or functioning of property located within the district including,  
 32 but not limited to, parks and related facilities, sidewalks,  
 33 streets, street curbing, street medians, planting areas, walls,



34 lighting equipment, fountains and flagpoles; (ii) trees, shrubs,  
35 flowers and other vegetation; (iii) security enhancements  
36 including, but not limited to, cameras, radios, monitors and  
37 related equipment; (iv) private patrol services; and (v) any  
38 expenditures made in conjunction with the improvements set forth  
39 above such as the removal and relocation of utility service or  
40 purchase and removal of signs.

41 (c) "Special local improvement taxing district" means a  
42 district established pursuant to Section 21-33-503 and may be  
43 comprised of either residential or nonresidential real property.  
44 Nonresidential real property located within or immediately  
45 adjacent to a special local improvement taxing district comprised  
46 of residential real property may be included within such special  
47 local improvement taxing district by a request submitted in  
48 writing by the owner of such nonresidential property to the  
49 governing authorities of the municipality. Residential real  
50 estate property located within or immediately adjacent to a  
51 special local improvement taxing district comprised of  
52 nonresidential real property may be included within such special  
53 local improvement taxing district by a request submitted in  
54 writing by the owner of such residential property to the governing  
55 authorities of the municipality.

56 (d) "Municipality" means any city or town incorporated  
57 under the laws of the State of Mississippi with a population in  
58 excess of one hundred ninety thousand (190,000) according to the  
59 latest federal decennial census.

60 **[From and after the date Laws of 2000, Chapter 459, Section**  
61 **1, is effectuated under Section 5 of the Voting Rights Act of**  
62 **1965, this section will read as follows:]**

63 21-33-501. For the purposes of this article, the following  
64 words and phrases shall have the meanings ascribed herein unless  
65 the context clearly indicates otherwise:



66           (a) "Issuing authority" means any municipality or any  
67 urban renewal agency or redevelopment authority within such city  
68 or town having authority to issue bonds pursuant to this article.

69           (b) "Local improvements" means (i) any improvements  
70 constructed within a special local improvement taxing district or  
71 services established under this article to improve the appearance  
72 or functioning of property located within the district including,  
73 but not limited to, parks and related facilities, sidewalks,  
74 streets, street curbing, street medians, planting areas, walls,  
75 lighting equipment, fountains and flagpoles; (ii) trees, shrubs,  
76 flowers and other vegetation; (iii) security enhancements  
77 including, but not limited to, cameras, radios, monitors and  
78 related equipment; (iv) private patrol services; (v) the  
79 acquisition, rehabilitation and sale of property in a special  
80 local improvement taxing district; and (vi) any expenditures made  
81 in conjunction with the improvements set forth above such as the  
82 removal and relocation of utility service or purchase and removal  
83 of signs.

84           (c) "Special local improvement taxing district" means a  
85 district established pursuant to Section 21-33-503 and may be  
86 comprised of either residential or nonresidential real property.  
87 Nonresidential real property located within or immediately  
88 adjacent to a special local improvement taxing district comprised  
89 of residential real property may be included within such special  
90 local improvement taxing district by a request submitted in  
91 writing by the owner of such nonresidential property to the  
92 governing authorities of the municipality. Residential real  
93 estate property located within or immediately adjacent to a  
94 special local improvement taxing district comprised of  
95 nonresidential real property may be included within such special  
96 local improvement taxing district by a request submitted in  
97 writing by the owner of such residential property to the governing  
98 authorities of the municipality.



99           (d) "Municipality" means any city or town incorporated  
100 under the laws of the State of Mississippi with a population in  
101 excess of one hundred fifty thousand (150,000) according to the  
102 latest federal decennial census.

103           SECTION 2. Section 21-33-503, Mississippi Code of 1972, is  
104 reenacted and amended as follows:

105           **[Until Laws of 2000, Chapter 459, Section 2, is effectuated**  
106 **under Section 5 of the Voting Rights Act of 1965, this section**  
107 **will read as follows:]**

108           21-33-503. (1) The governing authority of a municipality is  
109 authorized to establish one or more special local improvement  
110 taxing districts and to levy and collect an annual special tax not  
111 to exceed six (6) mills against only that taxable real property  
112 that is included within each such district, provided that such a  
113 special tax shall not be levied or collected unless the governing  
114 authority (a) shall have adopted a resolution (i) designating an  
115 area a special local improvement taxing district and (ii)  
116 specifying the maximum millage to be levied on taxable real  
117 property in the district under this section, and (b) has received  
118 a petition in favor of the levy of such tax signed by the owners  
119 of at least seventy percent (70%) of the taxable real property in  
120 the proposed district. For purposes of this subsection, "owners"  
121 means those persons possessing a majority of the ownership  
122 interest in a piece of taxable real property.

123           (2) Such special tax levy shall be excluded from the  
124 limitations imposed under Section 27-39-321. Before adopting such  
125 resolution, the governing authority shall hold a public hearing  
126 with respect thereto after public notice by publication at least  
127 twice, once a week for two (2) consecutive weeks in a newspaper of  
128 general circulation in the municipality, with the first  
129 publication being not less than fourteen (14) calendar days before  
130 the date specified for such hearing, such notice to include the  
131 date, time and place of such hearing, the proposed boundaries of



132 such special local improvement taxing district and the maximum  
133 special tax to be levied on property in such district under this  
134 section.

135 (3) The boundaries of the special local improvement taxing  
136 district shall not be modified and special taxes shall not be  
137 levied in excess of the maximum set forth in such resolution,  
138 unless:

139 (a) The governing authority shall have amended such  
140 resolution to reflect such modifications in the boundaries and tax  
141 levy;

142 (b) The governing authority has received a petition in  
143 favor of the levy of the special tax signed by owners, as that  
144 term is defined in subsection (1) of this section, of at least  
145 seventy percent (70%) of the taxable real property within the  
146 modified boundaries of the district; and

147 (c) A public hearing is held as provided in subsection  
148 (2) of this section. Any special local improvement taxing  
149 district established under this article may include any real  
150 property located within the corporate boundaries of the  
151 municipality.

152 **[From and after the date Laws of 2000, Chapter 459, Section**  
153 **2, is effectuated under Section 5 of the Voting Rights Act of**  
154 **1965, this section will read as follows:]**

155 21-33-503. (1) (a) The governing authority of a  
156 municipality is authorized to establish one or more special local  
157 improvement taxing districts and to levy and collect an annual  
158 special tax not to exceed six (6) mills against only that taxable  
159 real property that is included within each such district, provided  
160 that such a special tax shall not be levied or collected unless  
161 the governing authority (a) shall have adopted a resolution (i)  
162 designating an area a special local improvement taxing district  
163 and (ii) specifying the maximum millage to be levied on taxable  
164 real property in the district under this section, and (b) has



165 received a petition in favor of the levy of such tax signed by the  
166 owners of at least sixty percent (60%) of the taxable real  
167 property in the proposed district. For purposes of this  
168 subsection, "owners" means those persons possessing a majority of  
169 the ownership interest in a piece of taxable real property.

170 (b) Such special tax levy shall be excluded from the  
171 limitations imposed under Section 27-39-321. Before adopting such  
172 resolution, the governing authority shall hold a public hearing  
173 with respect thereto after public notice by publication at least  
174 twice, once a week for two (2) consecutive weeks in a newspaper of  
175 general circulation in the municipality, with the first  
176 publication being not less than fourteen (14) calendar days before  
177 the date specified for such hearing, such notice to include the  
178 date, time and place of such hearing, the proposed boundaries of  
179 such special local improvement taxing district and the maximum  
180 special tax to be levied on property in such district under this  
181 section.

182 (c) The boundaries of the special local improvement  
183 taxing district shall not be modified and special taxes shall not  
184 be levied in excess of the maximum set forth in such resolution,  
185 unless:

186 (i) The governing authority shall have amended  
187 such resolution to reflect such modifications in the boundaries  
188 and tax levy;

189 (ii) The governing authority has received a  
190 petition in favor of the levy of the special tax signed by owners,  
191 as that term is defined in subsection (1) of this section, of at  
192 least sixty percent (60%) of the taxable real property within the  
193 modified boundaries of the district; and

194 (iii) A public hearing is held as provided in  
195 subsection (2) of this section. Any special local improvement  
196 taxing district established under this article may include any



197 real property located within the corporate boundaries of the  
198 municipality.

199 (2) (a) As an alternative to the procedure provided in  
200 subsection (1) of this section, a special local improvement taxing  
201 district may be created under this subsection (2) if the  
202 boundaries of the proposed special local improvement taxing  
203 district are within the boundaries of a homeowners' association  
204 representing that area. Upon delivery of a notification to the  
205 clerk of the municipality in which the proposed district is  
206 located, signed by the presiding officer of the homeowners'  
207 association representing the area in the proposed district  
208 advising that the homeowners' association has voted to establish a  
209 special local improvement taxing district and indicating the  
210 millage rate to be applied therein, not to exceed six (6) mills,  
211 the municipality shall begin efforts to establish the special  
212 local improvement taxing district. Within thirty (30) days after  
213 receipt of such notification from the homeowners' association, the  
214 clerk of the municipality shall mail ballots to all of the \* \* \*  
215 owners of taxable real property located in the proposed special  
216 local improvement taxing district providing for a referendum on  
217 the issue of creating the district. The ballot shall clearly  
218 state the issue to be decided, provide a place for a vote "For" or  
219 "Against" the proposal and shall indicate the date by which the  
220 ballot must be returned to the clerk of the municipality, which  
221 date may not be later than thirty (30) days after the date the  
222 clerk mailed the ballots. The governing authorities of the  
223 municipality shall adopt a resolution creating the special local  
224 improvement taxing district if on or before the last day fixed for  
225 the return of ballots, at least sixty percent (60%) of the  
226 owners \* \* \* of the taxable real property in the proposed special  
227 local improvement taxing district vote in favor of creating the  
228 district. The resolution shall contain a description of the  
229 boundaries of the district and shall specify the maximum millage



230 rate to be levied upon taxable real property in the district for  
231 the municipality's fiscal year, as established by the homeowners'  
232 association, not to exceed six (6) mills.

233 (b) \* \* \* The governing authorities of the municipality  
234 shall levy the special tax not to exceed six (6) mills upon all  
235 taxable real property in the district to provide funds for the  
236 special local improvement taxing district if the tax is approved  
237 by at least sixty percent (60%) of the owners of taxable real  
238 property in the proposed district, commencing with the first month  
239 of the fiscal year of the municipality following approval by such  
240 owners.

241 (c) The procedures required in this subsection (2) for  
242 the establishment of a district shall be used for the modification  
243 of the boundaries of a district.

244 SECTION 3. Section 21-33-505, Mississippi Code of 1972, is  
245 reenacted and amended as follows:

246 **[Until Laws of 2000, Chapter 459, Section 3, is effectuated**  
247 **under Section 5 of the Voting Rights Act of 1965, this section**  
248 **will read as follows:]**

249 21-33-505. (1) Upon the adoption of a resolution  
250 establishing a special local improvement taxing district as set  
251 forth under Section 21-33-503, the governing authority of a  
252 municipality shall be authorized to exercise the following powers  
253 within any special local improvement taxing district:

254 (a) To provide for the planning and design of local  
255 improvements and the coordination of landscape design on different  
256 parcels of property, including the preparation of working drawings  
257 for the construction, acquisition and installation of local  
258 improvements;

259 (b) To purchase, acquire, install and construct local  
260 improvements;

261 (c) To purchase and acquire easements, air rights,  
262 scenic rights-of-way and other interests in land on which local





263 improvements can be placed and which are necessary or desirable in  
264 connection with any local improvements;

265 (d) To provide for the management of local  
266 improvements, including but not limited to, providing maintenance  
267 and services within the district; and

268 (e) To contract with a nonprofit local association duly  
269 incorporated under the laws of the State of Mississippi to  
270 undertake all or a portion of the activities within the local  
271 improvement district.

272 (2) A special local improvement taxing district shall be  
273 dissolved by resolution of the governing authority of the  
274 municipality if all activities for which such district was  
275 established have been completed and no debts incurred in  
276 connection with such activities are outstanding.

277 **[From and after the date Laws of 2000, Chapter 459, Section**  
278 **3, is effectuated under Section 5 of the Voting Rights Act of**  
279 **1965, this section will read as follows:]**

280 21-33-505. (1) (a) Upon the adoption of a resolution  
281 establishing a special local improvement taxing district as set  
282 forth under Section 21-33-503(1), the governing authority of a  
283 municipality shall be authorized to exercise the following powers  
284 within any special local improvement taxing district:

285 (i) To provide for the planning and design of  
286 local improvements and the coordination of landscape design on  
287 different parcels of property, including the preparation of  
288 working drawings for the construction, acquisition and  
289 installation of local improvements;

290 (ii) To purchase, acquire, install and construct  
291 local improvements;

292 (iii) To purchase and acquire easements, air  
293 rights, scenic rights-of-way and other interests in land on which  
294 local improvements can be placed and which are necessary or  
295 desirable in connection with any local improvements;



296 (iv) To provide for the management of local  
297 improvements, including but not limited to, providing maintenance  
298 and services within the district; and

299 (v) To contract with a nonprofit local association  
300 duly incorporated under the laws of the State of Mississippi to  
301 undertake all or a portion of the activities within the local  
302 improvement district.

303 (b) A special local improvement taxing district created  
304 under Section 21-33-503(1) shall be dissolved by resolution of the  
305 governing authority of the municipality if all activities for  
306 which such district was established have been completed and no  
307 debts incurred in connection with such activities are outstanding.

308 (2) (a) Upon the adoption of a resolution establishing a  
309 special local improvement taxing district as set forth under  
310 Section 21-33-503(2), the homeowners' association representing the  
311 property area in the district is authorized to exercise the  
312 following powers within the special local improvement taxing  
313 district:

314 (i) To provide for the planning and design of  
315 local improvements and the coordination of landscape design  
316 on \* \* \* property, including the preparation of working drawings  
317 for the construction, acquisition and installation of local  
318 improvements;

319 (ii) To purchase, acquire, install and construct  
320 local improvements;

321 (iii) To purchase and acquire easements, air  
322 rights, scenic rights-of-way and other interests in land on which  
323 local improvements can be placed and which are necessary or  
324 desirable in connection with any local improvements;

325 (iv) To provide for the management of local  
326 improvements, including but not limited to, providing maintenance  
327 and services within the district; and



328 (v) To contract with a nonprofit \* \* \* association  
329 duly incorporated under the laws of the State of Mississippi to  
330 undertake all or a portion of the activities within the district.

331 (b) A special local improvement taxing district  
332 established under Section 21-33-503(2) that has satisfied all  
333 indebtedness incurred in connection with activities of the  
334 district may be dissolved by following the notification and ballot  
335 procedures provided for the establishment of the district in  
336 Section 21-33-503(2).

337 SECTION 4. Section 21-33-507, Mississippi Code of 1972, is  
338 reenacted and amended as follows:

339 **[Until Laws of 2000, Chapter 459, Section 4, is effectuated**  
340 **under Section 5 of the Voting Rights Act of 1965, this section**  
341 **will read as follows:]**

342 21-33-507. The proceeds of any special tax levied on real  
343 estate property located within a special local improvement taxing  
344 district under Section 21-33-503 may be used to pay costs  
345 including administrative costs of and relating to exercising the  
346 powers set forth in Section 21-33-505.

347 Nothing stated herein shall prevent the use of such special  
348 tax for the purpose of planning and design of local improvement  
349 for any property located within a district and the coordination of  
350 landscape design on different parcels of property.

351 **[From and after the date Laws of 2000, Chapter 459, Section 4**  
352 **is effectuated under Section 5 of the Voting Rights Act of 1965,**  
353 **this section will read as follows:]**

354 21-33-507. (1) The proceeds of any special tax levied on  
355 real estate property located within a special local improvement  
356 taxing district under Section 21-33-503(1) may be used to pay  
357 costs including administrative costs of and relating to exercising  
358 the powers set forth in Section 21-33-505(1).

359 Nothing stated herein shall prevent the use of such special  
360 tax for the purpose of planning and design of local improvement



361 for any property located within a district and the coordination of  
362 landscape design on different parcels of property.

363 (2) \* \* \* The proceeds of any special ad valorem tax levied  
364 on real property located within a special local improvement taxing  
365 district under Section 21-33-503(2) may be used to pay reasonable  
366 costs including administrative costs of and relating to exercising  
367 the powers set forth in Section 21-33-505(2). The municipality  
368 shall disburse the proceeds of the tax on a monthly basis to the  
369 homeowners' association representing the area in a district  
370 created under Section 21-33-503(2). The proceeds from the special  
371 ad valorem tax levy disbursed to a homeowners' association shall  
372 remain public funds and shall be subject to audit and review by  
373 the State Auditor of Public Accounts. \* \* \* A homeowners'  
374 association shall keep the proceeds of such ad valorem tax levy  
375 separate and apart from any other funds of the association.  
376 Accounting for receipts and expenditures of proceeds from the ad  
377 valorem tax levy shall be made separately and apart from the  
378 accounting of receipts and expenditures of the homeowners'  
379 association for any other funds of the district. The homeowners'  
380 association shall have its books and records audited annually by  
381 an independent certified public accountant and shall file \* \* \*  
382 the audit with the clerk of the municipality not later than thirty  
383 (30) days after the end of each fiscal year of the municipality.  
384 The clerk of the municipality shall make the \* \* \* audit available  
385 for public review and copying. A special local improvement taxing  
386 district shall operate on the same fiscal year as the  
387 municipality.

388 \* \* \*

389 SECTION 5. Section 21-33-509, Mississippi Code of 1972, is  
390 reenacted and amended as follows:

391 **[Until Laws of 2000, Chapter 459, Section 5, is effectuated**  
392 **under Section 5 of the Voting Rights Act of 1965, this section**  
393 **will read as follows:]**



394 21-33-509. The governing authority of a municipality  
395 exercising the authority to levy a special tax as set forth in  
396 Section 21-33-503 shall levy such tax at the maximum rate  
397 specified in the resolution provided for in Section 21-33-503  
398 against all property in such special local improvement taxing  
399 district unless a lesser rate will provide revenues sufficient to  
400 pay debt service on all bonds payable from such tax and to pay  
401 costs of exercising the powers authorized pursuant to Section  
402 21-33-505, and if a municipality has delegated to an urban renewal  
403 agency or redevelopment authority any of its authority under this  
404 article, the governing authority of such urban renewal agency or  
405 redevelopment authority shall have certified to the municipality  
406 that a lesser tax rate will be sufficient to make such payments,  
407 in which event the governing authority of the municipality shall  
408 levy such tax at such lesser rate.

409 The governing authority may also enter into agreements for  
410 the benefit of holders of bonds issued by an urban renewal agency  
411 or redevelopment authority of the municipality pursuant to Section  
412 21-33-511 including, without limitation, agreements limiting or  
413 restricting issuance of bonds by the municipality which would be  
414 payable from such special tax, to the extent that such governing  
415 authorities shall determine that such agreements are necessary or  
416 desirable in connection with the issuance of bonds by an urban  
417 renewal agency or redevelopment authority pursuant to Section  
418 21-33-511.

419 **[From and after the date Laws of 2000, Chapter 459, Section**  
420 **5, is effectuated under Section 5 of the voting Rights Act of**  
421 **1965, this section will read as follows:]**

422 21-33-509. (1) (a) The governing authority of a  
423 municipality exercising the authority to levy a special tax as set  
424 forth in Section 21-33-503(1) shall levy such tax at the maximum  
425 rate specified in the resolution provided for in Section  
426 21-33-503(1) against all property in such special local



427 improvement taxing district unless a lesser rate will provide  
428 revenues sufficient to pay debt service on all bonds payable from  
429 such tax and to pay costs of exercising the powers authorized  
430 pursuant to Section 21-33-505(1), and if a municipality has  
431 delegated to an urban renewal agency or redevelopment authority  
432 any of its authority under this article, the governing authority  
433 of such urban renewal agency or redevelopment authority shall have  
434 certified to the municipality that a lesser tax rate will be  
435 sufficient to make such payments, in which event the governing  
436 authority of the municipality shall levy such tax at such lesser  
437 rate.

438 (b) The governing authority may also enter into  
439 agreements for the benefit of holders of bonds issued by an urban  
440 renewal agency or redevelopment authority of the municipality  
441 pursuant to Section 21-33-511 including, without limitation,  
442 agreements limiting or restricting issuance of bonds by the  
443 municipality which would be payable from such special tax, to the  
444 extent that such governing authorities shall determine that such  
445 agreements are necessary or desirable in connection with the  
446 issuance of bonds by an urban renewal agency or redevelopment  
447 authority pursuant to Section 21-33-511.

448 (2) The governing authorities of a municipality levying the  
449 special tax as set forth in Section 21-33-503(2) shall levy such  
450 tax at the maximum rate specified in the resolution provided for  
451 in Section 21-33-503(2) against all taxable real property in such  
452 special local improvement taxing district \* \* \*.

453 SECTION 6. Section 21-33-511, Mississippi Code of 1972, is  
454 reenacted as follows:

455 **[Until Laws of 2000, Chapter 459, Section 6, is effectuated**  
456 **under Section 5 of the Voting Rights Act of 1965, this section**  
457 **will read as follows:]**

458 21-33-511. The governing authority which has elected to  
459 exercise the authority to establish special local improvement



460 taxing districts as provided in this article and the governing  
461 authority of any urban renewal agency or redevelopment authority  
462 to which authority under this article shall have been delegated,  
463 are authorized, in their discretion, to issue bonds for the  
464 purpose of defraying any costs described in Section 21-33-507;  
465 refunding outstanding bonds; paying costs relating to the issuance  
466 of such bonds; and establishing any reserve funds determined to be  
467 appropriate. Such bonds may be issued without an election thereon  
468 upon the adoption of a resolution by the governing authority of  
469 the issuing authority. Such bonds shall not be subject to any  
470 limitation as to amount and shall not be included in computing the  
471 statutory limitation of indebtedness of such issuing authority  
472 under any present or future law. Such bonds shall bear such date  
473 or dates, shall be of such denomination or denominations, shall  
474 bear interest at such rate or rates as shall be approved by the  
475 issuing authority, shall be payable at such place or places within  
476 or without the State of Mississippi, shall mature at such time or  
477 times and upon such terms and may be made redeemable prior to  
478 maturity with or without premium, shall bear such registration  
479 privileges and shall be in substantially such form as shall be  
480 determined by resolution of the governing authority of such  
481 issuing authority. Any bonds issued under this article may be  
482 sold at public or private sale at such price as may be determined  
483 by the governing authority.

484 Such bonds shall be executed by the manual or facsimile  
485 signature of the official or officials of such issuing authority  
486 which have been designated by the governing authority, with the  
487 seal of the issuing authority affixed thereto or reproduced  
488 thereon. Whenever such bonds shall have been signed by the  
489 officials designated to sign the same who were in office at the  
490 time of such signing but who may have ceased to be such officials  
491 prior to the date of the sale and delivery of such bonds, or who  
492 may not have been in office on the date such bonds may bear, the



493 signatures of such officials upon such bonds shall nevertheless be  
494 valid and sufficient for all purposes and have the same effect as  
495 if the person so officially signing such bonds had remained in  
496 office until the delivery of the same to the purchaser or had been  
497 in office on the date such bonds may bear.

498 **[From and after the date Laws of 2000, Chapter 459, Section**  
499 **6, is effectuated under Section 5 of the Voting Rights Act of**  
500 **1965, this section will read as follows:]**

501 21-33-511. The governing authority which has elected to  
502 exercise the authority to establish special local improvement  
503 taxing districts as provided in Section 21-33-503(1) and the  
504 governing authority of any urban renewal agency or redevelopment  
505 authority to which authority under this article shall have been  
506 delegated, are authorized, in their discretion, to issue bonds for  
507 the purpose of defraying any costs described in Section  
508 21-33-507(1); refunding outstanding bonds; paying costs relating  
509 to the issuance of such bonds; and establishing any reserve funds  
510 determined to be appropriate. Such bonds may be issued without an  
511 election thereon upon the adoption of a resolution by the  
512 governing authority of the issuing authority. Such bonds shall  
513 not be subject to any limitation as to amount and shall not be  
514 included in computing the statutory limitation of indebtedness of  
515 such issuing authority under any present or future law. Such  
516 bonds shall bear such date or dates, shall be of such denomination  
517 or denominations, shall bear interest at such rate or rates as  
518 shall be approved by the issuing authority, shall be payable at  
519 such place or places within or without the State of Mississippi,  
520 shall mature at such time or times and upon such terms and may be  
521 made redeemable prior to maturity with or without premium, shall  
522 bear such registration privileges and shall be in substantially  
523 such form as shall be determined by resolution of the governing  
524 authority of such issuing authority. Any bonds issued under this





525 article may be sold at public or private sale at such price as may  
526 be determined by the governing authority.

527       Such bonds shall be executed by the manual or facsimile  
528 signature of the official or officials of such issuing authority  
529 which have been designated by the governing authority, with the  
530 seal of the issuing authority affixed thereto or reproduced  
531 thereon. Whenever such bonds shall have been signed by the  
532 officials designated to sign the same who were in office at the  
533 time of such signing but who may have ceased to be such officials  
534 prior to the date of the sale and delivery of such bonds, or who  
535 may not have been in office on the date such bonds may bear, the  
536 signatures of such officials upon such bonds shall nevertheless be  
537 valid and sufficient for all purposes and have the same effect as  
538 if the person so officially signing such bonds had remained in  
539 office until the delivery of the same to the purchaser or had been  
540 in office on the date such bonds may bear.

541       SECTION 7. Section 21-33-513, Mississippi Code of 1972, is  
542 reenacted as follows:

543       **[Until Laws of 2000, Chapter 459, Section 7, is effectuated**  
544 **under Section 5 of the Voting rights Act of 1965, this section**  
545 **will read as follows:]**

546       21-33-513. Bonds issued under the provisions of this article  
547 shall be payable, both as to principal and interest, solely out of  
548 such special taxes levied pursuant to Section 21-33-503, and any  
549 contributions received by the issuing authority for such purpose,  
550 as shall be specified in the resolution authorizing issuance of  
551 such bonds, and the full faith and credit of the issuing authority  
552 shall not be pledged therefor, and such fact shall be recited on  
553 the face of each bond.

554       **[From and after the date Laws of 2000, Chapter 459, Section**  
555 **7, is effectuated under Section 5 of the Voting Rights Act of**  
556 **1965, this section will read as follows:]**



557           21-33-513. Bonds issued under the provisions of this article  
558 shall be payable, both as to principal and interest, solely out of  
559 such special taxes levied pursuant to Section 21-33-503(1), and  
560 any contributions received by the issuing authority for such  
561 purpose, as shall be specified in the resolution authorizing  
562 issuance of such bonds, and the full faith and credit of the  
563 issuing authority shall not be pledged therefor, and such fact  
564 shall be recited on the face of each bond.

565           SECTION 8. Section 21-33-515, Mississippi Code of 1972, is  
566 reenacted as follows:

567           21-33-515. (1) A resolution issuing bonds in compliance  
568 with this article may include any covenants which the governing  
569 authority deems necessary to make such bonds secure and  
570 marketable, including, but without limitation, covenants regarding  
571 the application of the bond proceeds; the pledging, application  
572 and securing of special taxes; the creation and maintenance of  
573 reserves; covenants to levy special taxes; covenants to enforce  
574 agreements; the investment of funds; the issuance of additional  
575 bonds; the terms and conditions upon which bondholders may  
576 exercise their rights and remedies; the replacement of lost,  
577 destroyed or mutilated bonds; the definition, consequences and  
578 remedies of an event of default; and the appointment of a receiver  
579 in the event of a default.

580           (2) All taxes or other revenues pledged to the payment of  
581 such bonds shall be subject to a lien in favor of the holders of  
582 such bonds, and all such taxes received by the issuing authority,  
583 or the municipality if such bonds shall have been issued by a  
584 redevelopment authority or an urban renewal agency shall be  
585 immediately subject to such lien without any physical delivery  
586 thereof or further act by the issuing authority, and such lien  
587 shall be effective as against all parties asserting claims against  
588 the issuing authority or municipality, whether by way of tort,  
589 contract or otherwise, whether or not such parties may have had



590 notice of such lien. Such pledge or trust agreement creating the  
591 same need not be filed or recorded except in the official minutes  
592 of the issuing authority.

593 (3) The state does hereby covenant with the holders of any  
594 such bonds that it will not, while any such bonds shall be  
595 outstanding, limit or diminish the right and power of any  
596 municipality to levy the special taxes authorized by this article,  
597 or the right and power of any municipality, urban renewal agency  
598 or redevelopment authority to fulfill any covenants with or for  
599 the benefit of such bondholders.

600 SECTION 9. Section 21-33-517, Mississippi Code of 1972, is  
601 reenacted as follows:

602 **[Until Laws of 200, Chapter 459, Section 8, is effectuated**  
603 **under Section 5 of the Voting Rights Act of 1965, this section**  
604 **will read as follows:]**

605 21-33-517. The governing body of a municipality act, by  
606 resolution or order adopted by such governing body, may delegate  
607 the other authority granted under this article, including the  
608 authority to plan, construct and maintain local improvements  
609 pursuant to Section 21-33-505 and the authority to issue bonds  
610 pursuant to Section 21-33-511, to the urban renewal agency or the  
611 redevelopment authority of the municipality. If such authority  
612 has been so delegated hereunder and thereafter exercised, then any  
613 taxes levied hereunder shall be paid, upon receipt by the  
614 municipality, to the entity to which such authority has been  
615 delegated.

616 **[From and after the date Laws of 2000, Chapter 459, Section**  
617 **8, is effectuated under Section 5 of the Voting Rights Act of**  
618 **1965, this section will read as follows:]**

619 21-33-517. The governing body of a municipality that has  
620 established a special local improvement taxing district under  
621 Section 21-33-503(1), by resolution or order adopted by such  
622 governing body, may delegate the other authority granted under



623 this article, including the authority to plan, construct and  
624 maintain local improvements pursuant to Section 21-33-505(1) and  
625 the authority to issue bonds pursuant to Section 21-33-511, to the  
626 urban renewal agency or the redevelopment authority of the  
627 municipality. If such authority has been so delegated hereunder  
628 and thereafter exercised, then any taxes levied hereunder shall be  
629 paid, upon receipt by the municipality, to the entity to which  
630 such authority has been delegated.

631 SECTION 10. Section 21-33-519, Mississippi Code of 1972, is  
632 reenacted as follows:

633 **[Until Laws of 2000, Chapter 459, Section 9, is effectuated**  
634 **under Section 5 of the Voting Rights Act of 1965, this section**  
635 **will read as follows:]**

636 21-33-519. Any municipality which has formed a special local  
637 improvement taxing district under the authority of this article,  
638 and any urban renewal agency or redevelopment authority which has  
639 been delegated authority under this article, may accept and expend  
640 contributions from any other sources and apply such contributions  
641 to any of the purposes set forth in this article.

642 **[From and after the date Laws of 2000, Chapter 459, Section**  
643 **9, is effectuated under Section 5 of the Voting Rights Act of**  
644 **1965, this section will read as follows:]**

645 21-33-519. Any municipality which has formed a special  
646 local improvement taxing district under the authority of Section  
647 21-33-503(1), any urban renewal agency or redevelopment authority  
648 which has been delegated authority under this article, and any  
649 homeowners' association representing the area in a district  
650 established under Section 21-33-503(2), may accept and expend  
651 contributions from any other sources and apply such contributions  
652 to any of the purposes set forth in this article.

653 SECTION 11. Section 21-33-521, Mississippi Code of 1972, is  
654 reenacted as follows:



655           21-33-521. Bonds issued under the provisions of this article  
656 shall be legal investments for commercial banks, savings and loan  
657 associations and insurance companies organized under the laws of  
658 this state.

659           SECTION 12. Section 21-33-523, Mississippi Code of 1972, is  
660 reenacted as follows:

661           21-33-523. This article, without reference to any statute  
662 not referred to herein, shall be deemed to be full and complete  
663 authority for the issuance of bonds, and shall be construed as an  
664 additional and alternative method therefor, and none of the  
665 present restrictions, requirements, conditions or limitations of  
666 law applicable to the issuance or sale of bonds, notes or other  
667 obligations by issuers in this state shall apply to the issuance  
668 and sale of bonds under this article, and no proceedings shall be  
669 required for the issuance of bonds other than those provided for  
670 and required herein, and all powers necessary to be exercised in  
671 order to carry out the provisions of this article are hereby  
672 conferred.

673           SECTION 13. Section 21-33-525, Mississippi Code of 1972, is  
674 reenacted as follows:

675           21-33-525. The bonds authorized by this article and the  
676 income therefrom shall be exempt from all taxation in the State of  
677 Mississippi.

678           SECTION 14. Section 14, Chapter 573, Laws of 1993, as  
679 amended by Section 14, Chapter 502, Laws of 1998, is amended as  
680 follows:

681           Section 14. This act shall take effect and be in force from  
682 and after its passage and shall stand repealed July 1, 2002.

683           SECTION 15. The Attorney General of the State of Mississippi  
684 shall submit this act, immediately upon approval by the Governor,  
685 or upon approval by the Legislature subsequent to a veto, to the  
686 Attorney General of the United States or to the United States  
687 District Court for the District of Columbia in accordance with the



688 provisions of the Voting Rights Act of 1965, as amended and  
689 extended.

690 SECTION 16. This act shall take effect and be in force from  
691 and after the date it is effectuated under Section 5 of the Voting  
692 Rights Act of 1965, as amended and extended.

