HOUSE BILL NO. 1689

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF YALOBUSHA COUNTY, MISSISSIPPI, TO ISSUE GENERAL OBLIGATION BONDS OF THE JUDICIAL DISTRICTS OF THE COUNTY FOR THE PURPOSE OF PURCHASING OR ERECTING, EQUIPPING, REPAIRING, RECONSTRUCTING, REMODELING AND ENLARGING COUNTY BUILDINGS, COURTHOUSES, OFFICE BUILDINGS AND RELATED FACILITIES, AND THE PURCHASE OF LAND THEREFOR; AND FOR RELATED PURPOSES.

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

SECTION 1. The Board of Supervisors of Yalobusha County, Mississippi, hereinafter referred to as the board of supervisors, is authorized to issue negotiable general obligation bonds, including the issuance of refunding bonds if deemed necessary, of any judicial district of the county for the purposes of purchasing lease-purchasing, leasing and/or erecting, equipping, repairing, reconstructing, remodeling and enlarging county buildings, courthouses, office buildings, and related facilities, and the purchase, lease-purchase and/or lease of land therefor to be located within such judicial district of the county. The total amount of bonds issued under this act may not exceed Five Million Dollars ($5,000,000.00).

SECTION 2. Before issuing any bonds under this act, the board of supervisors shall adopt a resolution declaring its intention so to do, stating the amount of bonds proposed to be issued and the purpose for which the bonds are to be issued, and the date upon which the board of supervisors proposes to direct the issuance of such bonds. Such resolution shall be published once a week for at least three (3) consecutive weeks in at least one (1) newspaper published in the county. The first publication
of such resolution shall be made not less than twenty-one (21) days before the date fixed in the resolution for the issuance of the bonds, and the last publication shall be made not more than seven (7) days before such date. If no newspaper be published in the county, then such notice shall be given by publishing the resolution for the required time in some newspaper having a general circulation in the county and, in addition, by posting a copy of such resolution for at least twenty-one (21) days next preceding the date fixed therein at three (3) public places in the county. If twenty percent (20%), or fifteen hundred (1500), whichever is less, of the qualified electors of the judicial district for which bonds are proposed to be issued shall file a written protest against the issuance of such bonds on or before the date specified in such resolution, then an election on the question of the issuance of such bonds shall be called and held as is provided in this act and in Section 19-9-13, Mississippi Code of 1972. If no such protest be filed, then such bonds may be issued without an election on the question of the issuance thereof, at any time within a period of two (2) years after the date specified in the resolution. However, the board of supervisors, in its discretion, may nevertheless call an election on such question, in which event it shall not be necessary to publish the resolution declaring its intention to issue such bonds as herein provided.

SECTION 3. Such election shall be held, as far as is practicable, in the same manner as other elections are held in counties. At such election, all qualified electors of the judicial district for which bonds are proposed to be issued may vote, and the ballots used at the election shall have printed thereon a brief statement of the amount and purpose of the proposed bond issue and the words "FOR THE BOND ISSUE," and "AGAINST THE BOND ISSUE," and the voter shall vote by placing a
cross (X) or checkmark (✓) opposite his choice on the
proposition. When the results of such election have been
canvassed by the election commissioners of the county and
certified by them to the board of supervisors, it shall be the
duty of the board of supervisors to determine and adjudicate
whether or not at least three-fifths (3/5) of the qualified
electors of the judicial district for which the bonds are proposed
to be issued who voted in the election voted in favor of the
issuance of such bonds. Unless at least three-fifths (3/5) of
such qualified electors who voted in the election voted in favor
of the issuance of the bonds, then the bonds shall not be issued.
Should at least three-fifths (3/5) of such qualified electors who
vote in the election vote in favor of the issuance of the bonds,
then the board of supervisors may issue the bonds, either in whole
or in part, within two (2) years from the date of such election or
within two (2) years after the final favorable termination of any
litigation affecting the issuance of such bonds, as the board of
supervisors shall deem best.

SECTION 4. Any bonds issued under this act shall be general
obligations of the judicial district of Yalobusha County for which
issued. The board of supervisors of the county shall annually
levy a special tax upon all the taxable property within the
judicial district or districts for which the bonds were issued,
which tax shall be sufficient to provide for the payment of
principal and interest on such bonds according to the terms
thereof.

SECTION 5. Except as otherwise provided in this act, all
bonds issued under this act shall be issued and the proceeds
managed in accordance with the terms and provisions of Sections
19-9-5, 19-9-7 and 19-9-11 through 19-9-25, Mississippi Code of
1972, and sold in accordance with the provisions of Section
SECTION 6. This act, without reference to any other statute not referred to herein, shall be deemed to be full and complete authority for the borrowing of money and the issuing of bonds as hereby authorized by the board of supervisors and shall be construed as an additional and alternate method therefor.

SECTION 7. Any bonds issued under this act shall be validated in the manner provided in Chapter 13, Title 31, Mississippi Code of 1972.

SECTION 8. The Board of Supervisors of Yalobusha County, Mississippi, shall submit this act, immediately upon approval by the Governor, or upon approval by the Legislature subsequent to a veto, to the Attorney General of the United States or to the United States District Court for the District of Columbia in accordance with the provisions of the Voting Rights Act of 1965, as amended and extended.

SECTION 9. This act shall take effect and be in force from and after the date it is effectuated under Section 5 of the Voting Rights Act of 1965, as amended and extended.