

By: Representatives Simpson, Mitchell

To: Municipalities; County Affairs

HOUSE BILL NO. 343
(As Passed the House)

1 AN ACT TO CREATE A NEW CODE SECTION TO PROVIDE THAT THE
2 GOVERNING AUTHORITIES OF A MUNICIPALITY ARE AUTHORIZED TO DONATE
3 ANNUALLY SUCH SUMS AS THEY DEEM ADVISABLE TO SUPPORT CERTAIN
4 TAX-EXEMPT ORGANIZATIONS TO FIGHT CRIME OR DRUG ABUSE; TO SET
5 FORTH A DEFINITION OF AN ORGANIZATION TO FIGHT CRIME OR DRUG
6 ABUSE; TO CLARIFY THAT THE PROVISIONS OF THE SECTION DO NOT
7 AUTHORIZE THE LEVY OF AN ASSESSMENT OR COURT COST ON ANY TRAFFIC
8 OR CRIMINAL CASE PROCESSED THROUGH THE MUNICIPAL COURTS, IN ORDER
9 TO FUND SUCH AN ORGANIZATION; TO AMEND SECTION 19-5-93,
10 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE BOARD OF SUPERVISORS
11 OF A COUNTY IS AUTHORIZED TO DONATE ANNUALLY SUCH SUMS AS IT DEEMS
12 ADVISABLE TO SUPPORT ORGANIZATIONS TO FIGHT CRIME OR DRUG ABUSE;
13 TO SET FORTH A DEFINITION OF AN ORGANIZATION TO FIGHT CRIME OR
14 DRUG ABUSE; TO CLARIFY THAT THE AMENDMENT TO THE SECTION DOES NOT
15 AUTHORIZE THE LEVY OF AN ASSESSMENT OR COURT COST ON ANY TRAFFIC
16 OR CRIMINAL CASE PROCESSED THROUGH THE JUSTICE AND CIRCUIT COURTS
17 OF THE COUNTY, IN ORDER TO FUND SUCH AN ORGANIZATION; AND FOR
18 RELATED PURPOSES.

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

20 **SECTION 1.** The governing authorities of any municipality in
21 the state are hereby authorized, in their discretion, by
22 resolution duly adopted and entered on its minutes, to donate
23 annually out of any money in the municipal treasury such sums as
24 the governing authorities deem advisable to support any
25 organization formed to fight crime or drug abuse, which is
26 operating within or serving the municipality and which is
27 qualified as a tax-exempt organization under Section 501(c)(3) of
28 the Internal Revenue Code. For purposes of this section, an
29 organization formed to fight crime or drug abuse means any
30 organization having as its primary goals the prevention of crime
31 and drug abuse, drug education and/or procuring information to aid
32 authorities in the capture and conviction of persons committing
33 crimes in the municipality, which organization may be known as
34 "Crime Stoppers" or as "Anti-Drug Task Force." The provisions of
35 this section do not authorize a municipality's governing



36 authorities to levy an assessment or court cost on any traffic or
37 criminal case processed through the municipal courts of the
38 municipality, in order to fund the activities and operation of an
39 organization formed to fight crime or drug abuse.

40 **SECTION 2.** Section 19-5-93, Mississippi Code of 1972, is
41 amended as follows:

42 19-5-93. The board of supervisors of each county is hereby
43 authorized, in its discretion, to donate money for the objects and
44 purposes following, to wit:

45 (a) **Confederate graves.** For the location, marking,
46 care and maintenance of the grave or graves and graveyard of
47 Confederate soldiers or sailors who died in the Confederate
48 service, and the purchase, if necessary, of the land on which any
49 of the said graveyards may be situated, and the erection and
50 maintenance of appropriate monuments and appropriate inscriptions
51 thereon. In the exercise of this power the board is fully
52 authorized to accept donations of land on which any of said
53 graveyards may be situated and also money or funds to be used for
54 any of the purposes in this section expressed.

55 Any board of supervisors may, in its discretion, contribute
56 money to be used for the upkeep of graves of the Confederate dead
57 in its county.

58 (b) **Care of the aged.** For the support and maintenance
59 of such residents of the county who are worthy indigent aged
60 inmates of the Old Ladies' Home of Jackson, Mississippi, or of the
61 Golden Age Nursing Home and Hospital for North Mississippi of
62 Greenwood, Mississippi, and not exceeding Five Hundred Dollars
63 (\$500.00) per annum for the support of the county's inmates of the
64 Old Men's Home, located near Jackson, Mississippi, and in addition
65 thereto a sum not exceeding Two Hundred Dollars (\$200.00) per
66 annum to each of said institutions for their support and
67 maintenance in the care of the aged.



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

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

74 (e) **Hospitals for pellagra sufferers.** For the
75 establishment and maintenance of a hospital for the treatment of
76 persons afflicted with pellagra. For this purpose the board may
77 issue bonds and incur such indebtedness within the limits now
78 authorized by law.

79 (f) **Tubercular hospitals.** For the establishment and
80 maintenance of a hospital for the care and treatment of persons
81 suffering from tuberculosis. In the execution of this power the
82 board may select trustees to establish and operate said hospital.
83 In counties having a population of more than forty thousand
84 (40,000) people, as shown by the latest United States census, the
85 board may set aside, appropriate and expend monies from the
86 general fund for the purpose of aiding in the maintenance and
87 support of hospitals maintained and operated in such county for
88 the care and treatment of persons suffering from tuberculosis.
89 The monies shall be expended by the board through such trustees,
90 not less than three (3) and not more than five (5), to be elected
91 by the board of supervisors annually. The trustees shall file
92 reports with the board at least once every six (6) months showing
93 in detail all expenditures made by them and the number of patients
94 which have been for the preceding period aided or cared for by the
95 institution, and the board may otherwise require a strict
96 accounting of the administration of said funds.

97 (g) **Same -- additional provisions.** The boards of
98 supervisors of one or more counties are hereby authorized and
99 empowered, in their discretion, separately or jointly, to acquire
100 by gift, purchase or lease, real estate, for tubercular hospital



101 purposes, and to own, erect, build, establish, maintain, regulate
102 and support a tubercular hospital and to remodel buildings on such
103 property to be used for such hospital purposes.

104 In the event the boards of supervisors of two (2) or more
105 counties agree to cooperate in establishing and maintaining such
106 hospital, the board of supervisors of each of said counties shall
107 adopt a resolution agreeing to the proportionate part each county
108 will contribute to the establishment and maintaining of such
109 hospital.

110 Each county operating under the provisions of this subsection
111 is hereby authorized and empowered to set aside, appropriate and
112 expend monies from the general fund for the purpose of erecting,
113 maintaining and operating such hospital.

114 (h) **Charity wards in hospitals.** A sum of money not
115 exceeding One Hundred Dollars (\$100.00) per month to maintain a
116 charity ward or wards in any hospital in their respective
117 counties, or in the event there shall be no hospital in such
118 county, then a like sum, in their discretion, to maintain a
119 charity ward or wards in any hospital in any adjoining county
120 receiving and treating patients from such county having no
121 hospital.

122 (i) **Same -- coast counties.** The several counties of
123 this state bordering on the tidewater of the Gulf of Mexico are
124 hereby authorized and empowered, in the discretion of the proper
125 authorities thereof, to appropriate such a sum of money as said
126 authorities shall deem reasonable, to provide and maintain a
127 charity ward or wards, in any of the hospitals in said counties,
128 or, in the discretion of said authorities, to make and enter into
129 contracts with any such hospitals for the treatment and care in
130 such hospitals of the indigent sick of said counties, and to pay
131 therefor out of the general fund of such counties such sum or sums
132 as shall be a reasonable and just compensation to said hospital.
133 However, the board of supervisors of any county mentioned herein



134 may, in its discretion, make and enter into contracts with any
135 hospital in any adjoining county receiving and treating patients
136 from the respective counties mentioned herein in such hospitals of
137 the indigent sick of said counties, mentioned herein, and to pay
138 therefor out of the general fund of such county, such sum or sums
139 that shall be reasonable and just to said hospitals.

140 (j) **Public libraries.** A sum not to exceed One Thousand
141 Dollars (\$1,000.00) per annum toward the support and maintenance
142 of one or more public libraries situated in the county. In any
143 county whose total assessed valuation, including railroads and all
144 public utilities, is more than Eighteen Million Dollars
145 (\$18,000,000.00) the board, in its discretion, may appropriate a
146 sum not to exceed Three Thousand Dollars (\$3,000.00) per annum for
147 public libraries.

148 The board may also give or donate any legislative journals,
149 constitutional convention journals, printed official reports of
150 any state or county officers, official reports of departments,
151 bureaus or officers of the United States, and copies of the acts
152 of the Legislature or laws of Mississippi now or hereafter in the
153 county library of such county and not needed, in the opinion of
154 the board in the county library (but not including any Mississippi
155 reports and not including any acts of the Legislature or laws of
156 the state, unless such acts or laws be more than twenty (20) years
157 old) to any library or library association or foundation or
158 organization maintaining a free public library for reference or
159 otherwise, provided such library, association, foundation or
160 organization owns free from encumbrance a fireproof library
161 building located in this state, in which building said journals,
162 reports, acts and laws may be and shall be deposited where
163 received under this subsection and made accessible under
164 reasonable regulations to the general public. Such library,
165 association, foundation or organization shall not have the right
166 to sell or otherwise dispose of said journals, reports, acts and



167 laws. Said journals, reports, acts and laws may be returned to
168 the county library from which received without expense to the
169 county, or to the state library, without expense to the state, at
170 any time by the library, association, foundation or organization
171 receiving the same.

172 Any gift or donation made by the board of supervisors of any
173 county under the authority of this subsection shall be evidenced
174 by an order spread upon the minutes of said board. The county
175 shall bear no expense in connection with any donation. The
176 sheriff of the county, or the custodian of the county library,
177 shall deliver to the representative of the library, association,
178 foundation or organization entitled to receive the same any of
179 said journals, reports, acts, laws and official publications in
180 accordance with the directions contained in any order of the board
181 of supervisors for the delivery of the same, and shall take proper
182 receipt from the party receiving the same, and shall deliver such
183 receipt to the clerk of the board of supervisors of the county,
184 and the board of supervisors shall have the said receipt entered
185 in full on the minutes of the board.

186 Any library, association, foundation or organization
187 receiving any gift or donation from any county under this
188 subsection shall report in writing to the board of supervisors,
189 from which such gifts or donations have been received every two
190 (2) years, that the gifts and donations so received are still in
191 the possession of the donee and are accessible to the general
192 public. If any of the gifts or donations so received have been
193 lost, destroyed or have otherwise disappeared, report thereof
194 shall be made.

195 If any library, association, foundation or organization
196 receiving gifts or donations under this subsection shall cease
197 operating as a free public library or shall cease to be the owner
198 of a fireproof building in which it keeps and maintains a free
199 public library, for reference or otherwise, the said library,



200 association, foundation or organization shall thereupon
201 immediately return to the county library, without expense to the
202 county, or to the state library, without expense to the state, any
203 gifts or donations it may have received under this subsection.

204 (k) **Patriotic organizations and memorials.** A sum not
205 to exceed Five Thousand Dollars (\$5,000.00) to build or aid any
206 post of the American Legion, any chapter of the Daughters of the
207 American Revolution, any chapter of the United Daughters of the
208 Confederacy, or any post, unit or chapter of any patriotic
209 organization within the county in building a memorial to the
210 veterans of World War I and World War II; and a sum not to exceed
211 One Thousand Dollars (\$1,000.00) to aid in defraying the cost of
212 the erection of suitable memorials to deceased soldiers, sailors
213 and marines of the late world wars. Such appropriation may be
214 made, even though no provision has been made therefor in the
215 county budget.

216 (l) **American Red Cross.** Any board of supervisors of
217 any county in this state is hereby authorized and empowered, in
218 its discretion, to donate annually, out of any monies in its
219 respective treasury, to be drawn by warrant thereon, a sum not
220 exceeding One Hundred Dollars (\$100.00) per million of assessed
221 valuation to the support of a local chapter of the American Red
222 Cross.

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

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

231 (o) **Domestic violence shelters.** The board of
232 supervisors of any county in this state is hereby authorized and



233 empowered, in its discretion, to donate annually out of any money
234 in the county treasury, such sums as the board deems advisable to
235 support any domestic violence shelter or rape crisis center
236 operating within or serving its area. For the purposes of this
237 section, "rape crisis center" means a place established to provide
238 care, counseling and related services to victims of rape,
239 attempted rape, sexual battery or attempted sexual battery.

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

245 (q) **Care of neglected children.** The board of
246 supervisors of any county in this state, in its discretion, may
247 donate annually out of any money in the county treasury such sums
248 as the board deems advisable to support any residential group home
249 for the abused, abandoned or neglected children which operates
250 within or serves the county. For the purposes of this paragraph
251 the term "residential group home" means a group residence
252 established to provide care and counseling, and to serve as a
253 home, for children who are the victims of abuse, neglect or
254 abandonment.

255 (r) **Organization to fight crime or drug abuse.** The
256 board of supervisors of any county in the state is hereby
257 authorized, in its discretion, by resolution duly adopted and
258 entered on its minutes, to donate annually out of any money in the
259 county treasury, such sums as the board deems advisable to support
260 any organization formed to fight crime or drug abuse, which is
261 operating within or serving the county and which is qualified as a
262 tax-exempt organization under Section 501(c)(3) of the Internal
263 Revenue Code. For purposes of this paragraph, an organization
264 formed to fight crime or drug abuse means any organization having
265 as its primary goals the prevention of crime and drug abuse, drug



266 education and/or procuring information to aid authorities in the
267 capture and conviction of persons committing crimes in the county,
268 which organization may be known as "Crime Stoppers" or as
269 "Anti-Drug Task Force." The provisions of this paragraph do not
270 authorize a county board of supervisors to levy an assessment or
271 court cost on any traffic or criminal case processed through the
272 justice and circuit courts of the county, in order to fund the
273 activity and operation of an organization formed to fight crime or
274 drug abuse.

275 **SECTION 3.** The provisions of Section 1 of this act shall be
276 codified in Chapter 19, Title 21, Mississippi Code of 1972.

277 **SECTION 4.** This act shall take effect and be in force from
278 and after its passage.

