AN ACT TO AMEND SECTIONS 19-31-17 AND 19-31-21, MISSISSIPPI CODE OF 1972, TO AUTHORIZE PUBLIC IMPROVEMENT DISTRICTS TO DEDICATE, DONATE OR CONVEY IN ANY MANNER REAL OR PERSONAL PROPERTY TO CERTAIN ENTITIES; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 19-31-17, Mississippi Code of 1972, is amended as follows:

Section 19-31-17. The district shall have, and the board may exercise, the power:

(a) To sue and be sued in the name of the district.

(b) To adopt and use a seal and authorize the use of a facsimile thereof.

(c) To acquire, by purchase, gift, devise or otherwise, and to dispose of, real and personal property.

(d) To dedicate, donate or convey in any manner, real and personal property under such terms and conditions as may be agreed upon, to:

(i) Nonprofit entities that have been issued a certificate of public convenience and necessity by the Public Service Commission; or

(ii) Governmental entities.

(e) To make and execute contracts and other instruments necessary or convenient to the exercise of its powers.

(f) To contract for the services of consultants to perform planning, engineering, financial, legal, or other appropriate services of a professional nature.

(g) To borrow money and accept gifts; to apply for and use grants or loans of money or other property from the United States, or any other entity.
States, the state, a unit of local government or any person or any organization for any district purposes and enter into agreements required in connection therewith; and to hold, use and dispose of such monies or property for any district purposes in accordance with the terms of the gift, grant, loan or agreement relating thereto.

(h) To adopt bylaws prescribing the powers, duties and functions of the officers of the district, the conduct of the business of the district and the maintenance of records.

(i) To maintain an office at such place or places as it may designate within a county in which the district is located, which office must be reasonably accessible to the landowners. Meetings shall be held at such office or such other location as may be designated by the board.

(j) To hold, control and acquire by donation, or purchase or dispose of, any public servitudes or dedications to public use and to make use of such servitudes or dedications for any of the purposes authorized by this chapter.

(k) To lease as lessor or lessee to or from any person, firm, corporation, association, or body public or private, any projects of the type that the district is authorized to undertake and facilities or property of any nature for the use of the district to carry out any of the purposes authorized by this chapter.

(l) To borrow money and issue bonds, certificates, warrants, notes or other evidence of indebtedness as provided in this chapter; to levy such special assessments as may be authorized; and to charge, collect and enforce fees and other user charges.

(m) To acquire property within the boundaries of the district for public use through condemnation, exercised pursuant to Sections 11-27-1 through 11-27-51, subject to the approval of
the governing body of the county and/or the municipality that
enacted the ordinance establishing the district.

   (n) To raise, by user charges or fees authorized by
resolution of the board, amounts of money which are necessary for
the conduct of the district activities and services and to enforce
their receipt and collection in the manner prescribed by
resolution not inconsistent with law.

   (o) To cooperate with, contract, or enter into
contribution agreements with, other governmental agencies,
including the governing bodies of counties and/or municipalities,
as may be necessary, convenient, incidental or proper in
connection with any of the powers, duties or purposes authorized
by this chapter.

   (p) To determine, order, levy, impose, collect and
enforce special assessments pursuant to this chapter.

   (q) To enter into interlocal cooperative agreements
pursuant to Section 17-13-1 et seq.

   (r) To exercise all of the powers necessary and proper
in connection with any of the powers, duties or purposes
authorized by this chapter.

SECTION 2. Section 19-31-21, Mississippi Code of 1972, is
amended as follows:

19-31-21. No public improvement district may purchase, sell,
dedicate, donate or convey in any manner a water or wastewater
utility that provides service to the public, or enter into a
management contract for such facilities, until the board has held
a public hearing on the purchase, sale, dedication, donation,
conveyance or management contract and has made a determination
that the purchase, sale or management contract is in the public
interest.

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