MISSISSIPPI LEGISLATURE

By: Representatives Rotenberry, Hudson, Moore (60th), Moore (100th), Rushing, Warren, Weathersby

HOUSE BILL NO. 1584

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF SIMPSON COUNTY, MISSISSIPPI, TO PURCHASE AND RENOVATE THE BUILDING AND REAL ESTATE FORMERLY OWNED BY WAL-MART STORES WITHIN THE CORPORATE LIMITS OF THE CITY OF MAGEE, AND TO LEASE SPACE IN THE BUILDING TO COPIAH-LINCOLN COMMUNITY COLLEGE AND FOR THE POSSIBLE LOCATION OF AN INCUBATOR INDUSTRY MULTIPURPOSE AREA AND OTHER USES; TO AUTHORIZE THE BOARD OF SUPERVISORS TO ISSUE GENERAL OBLIGATION BONDS OF THE COUNTY IN AN AMOUNT NOT TO EXCEED $1,500,000.00 FOR THE PURCHASE AND RENOVATION OF THE BUILDING AND REAL ESTATE; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) The Board of Supervisors of Simpson County, Mississippi ("board"), may purchase and renovate the building and real estate formerly owned by Wal-Mart Stores in the City of Magee for the purposes of (a) leasing space in the building to Copiah-Lincoln Community College for classrooms and administrative office space to continue to offer its college courses, which lease may be for a nominal amount, and (b) leasing space for the possible location of an incubator industry multipurpose area, warehouse space or other uses, upon such terms and conditions and for such monetary rental or other consideration that the board deems to be in the best interest of the public.

(2) The board may issue general obligation bonds of the county, in accordance with the provisions set forth in Sections 3 through 11 of this act, for the purposes described in subsection (1) of this section.

(3) The general obligation bonds of the county issued for the purposes of this section shall not exceed One Million Five Hundred Thousand Dollars ($1,500,000.00).

SECTION 2. If the building and real estate acquired and renovated under Section 1 of this act are no longer needed by the
county for county purposes, the board may sell or otherwise
dispose of the building and real estate on terms and conditions
and with safeguards as will best promote and protect the public
interest. The board may transfer title or possession to the
building and real estate by warranty deed, bill of sale, contract
or other customary business instrument in the same manner and to
the same extent that any private corporation, association or
person may contract with reference to property of a similar
nature. Any sale of the building and real estate authorized under
this section may be made at public or private sale. All income
derived from the sale of the building and real estate may be
applied to the retirement of bonds issued under Sections 3 through
11 of this act or deposited into the general fund of the county to
be used for any lawful purpose.

Contracts for the renovation, improvement, equipping or
furnishing of the building authorized to be acquired under Section
1 of this act shall be entered into upon the basis of public
bidding under Section 31-7-1 et seq., Mississippi Code of 1972.

SECTION 3. Before the issuance of any bonds under the
provisions of this act, the board shall adopt a resolution
declaring its intention so to do, stating the maximum amount of
the bonds proposed to be issued, the purpose for which the bonds
are to be issued, and the date upon which the board proposes to
authorize the issuance of the bonds. The 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 the resolution shall be made not less than
twenty-one (21) days before the date fixed in the resolution to
authorize the issuance of the bonds, and the last publication
shall be made not more than seven (7) days before that date. If
twenty percent (20%) or one thousand five hundred (1,500) of the
qualified electors of the county, whichever is the lesser, file a
written protest against the issuance of the bonds on or before the
date specified in the resolution, then an election on the question of the issuance of the bonds shall be called and held as provided in this act. If no protest is filed, then the 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 above-mentioned resolution; however, the board, in its discretion, may nevertheless call an election on that question, in which event it shall not be necessary to publish the resolution declaring its intention to issue the bonds as provided in this act.

SECTION 4. Whenever an election is to be called as provided in Section 3 of this act, notice of the election shall be signed by the clerk of the board of supervisors and 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 notice shall be made not less than twenty-one (21) days before the date fixed for the election, and the last publication shall be made not more than seven (7) days before that date.

SECTION 5. The election shall be held, as far as is practicable, in the same manner as other elections are held in counties. At the election, all qualified electors of the county 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 check mark (✓) opposite his choice on the proposition.

SECTION 6. When the results of the election on the question of the issuance of the bonds shall have been canvassed by the election commissioners of the county and certified by them to the board, it shall be the duty of the board to determine and adjudicate whether or not a majority of the qualified electors who voted thereon in the election voted in favor of the issuance of
the bonds, and unless a majority of the qualified electors who
voted thereon in the election have voted in favor of the issuance
of the bonds, then the bonds shall not be issued. If a majority
of the qualified electors who vote thereon in the election vote in
favor of the issuance of the bonds, then the board may issue the
bonds, whether in whole or in part, within two (2) years after the
date of the election or the date of the final favorable
termination of any litigation affecting the issuance of the bonds.

SECTION 7. The general obligation bonds issued under the
provisions of this act shall not be considered when computing any
limitation of indebtedness set forth in Section 19-9-5, Mississippi Code of 1972. Except as otherwise provided in this
act, all bonds issued under the provisions of this act shall be
issued and the proceeds managed in accordance with the provisions

SECTION 8. 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
authorized by the board and shall be construed as an additional
and alternate method therefor.

SECTION 9. Any bonds issued under the provisions of this act
shall be validated in the manner provided by law.

SECTION 10. No member of the Legislature, elected official
or appointed official, or any partner or associate of any member
of the Legislature, elected official or appointed official, shall
derive any income from the issuance of any bonds under this act.

SECTION 11. The board is further authorized to adopt any and
all lawful resolutions, orders or ordinances and do and perform
any and all acts and things necessary and requisite to carry out
the purposes of this act.

SECTION 12. The Board of Supervisors of Simpson 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 13. If this act is effectuated under Section 5 of the Voting Rights Act of 1965, as amended and extended, then 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.