AN ACT TO AMEND SECTION 37-59-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF BONDS FOR SCHOOL PURPOSES FOR A ONE-YEAR PERIOD WITHOUT THE NECESSITY OF AN ELECTION ON THE QUESTIONS IN THE ABSENCE OF A PETITION CALLING FOR SUCH AN ELECTION; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 37-59-11, Mississippi Code of 1972, is amended as follows:

37-59-11. (1) Before any money shall be borrowed under the provisions of this chapter, the school board of the school district shall adopt a resolution declaring the necessity for borrowing such money, declaring its intention to borrow such money and to issue the negotiable bonds of the school district as evidence of same, specifying the approximate amount to be so borrowed, and how such indebtedness is to be evidenced. Such resolution shall also set forth the nature and approximate cost of the alterations, additions and repairs to be made, and shall declare in said resolution that no funds are available in the school funds of the district or from any other source with which to make such repairs, alterations, additions, purchases, erections or improvements.

(2) Whenever a resolution is adopted by the school board as provided in subsection (1), or a petition signed by not less than ten percent (10%) of the qualified electors of a school district, fixing the maximum amount of such school bonds and the purpose or purposes for which they are to be issued, the school board shall adopt a resolution calling an election to be held within such school district for the purpose of submitting to the qualified
electors thereof the question of the issuance of bonds in the
amount and for the purpose or purposes as set forth in such
resolution or petition. The resolution calling such election
shall designate the date upon which the election shall be held and
the place or places within such district at which such election
shall be held, which place or places may or may not be the
schoolhouse or schoolhouses in such district.

(3) Provided, however, anything herein to the contrary
notwithstanding, no election shall be required for approval of
bonds issued after July 1, 1987, and prior to July 1, 1988, or
within one (1) year after the final favorable termination of any
litigation affecting the issuance of such bonds, and as to which
the resolution of necessity and intent to issue by the school
board of the school district is passed and publication thereof
commenced on or before June 30, 1987, unless a petition calling
for such election is filed meeting the requirements and within the
time provided by this Section 37-59-11 as in effect between April

(4) Provided, however, anything herein to the contrary
notwithstanding, no election shall be required for approval of
bonds issued after July 1, 2003, and prior to July 1, 2004, or
within one (1) year after the final favorable termination of any
litigation affecting the issuance of such bonds, and as to which
the resolution of necessity and intent to issue by the school
board of the school district is passed and publication thereof
commenced on or before June 30, 2003, unless a petition calling
for such election is filed meeting the requirements and within the
time provided by this Section 37-59-11 as in effect on July 1,
2003.

SECTION 2. The Attorney General of the State of 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
ST: School bond issue; authorize for one-year period without election unless petition of the electorate calls for an election.