

By: Representatives Guice, Pierce, Bentz,  
Broomfield, Dedeaux, Hamilton (109th), Ishee,  
Parker, Patterson, Simpson, Zuber

To: Universities and  
Colleges; Ways and Means

HOUSE BILL NO. 795

1 AN ACT TO AMEND SECTION 37-29-437, MISSISSIPPI CODE OF 1972,  
2 TO REVISE THE AD VALOREM TAX THAT MEMBER COUNTIES MAY LEVY FOR  
3 OPERATION OF THE MISSISSIPPI GULF COAST COMMUNITY COLLEGE  
4 DISTRICT; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 37-29-437, Mississippi Code of 1972, is  
7 amended as follows:

8 37-29-437. After the budget shall have been prepared as is  
9 provided for in Section 37-29-415, the board of trustees of the  
10 Mississippi Gulf Coast Junior College District shall certify the  
11 same in writing to the boards of supervisors of the several  
12 counties and shall certify to the said boards of supervisors the  
13 number of mills of ad valorem taxation required to make provisions  
14 for the revenue required in said budget. It shall thereupon  
15 become the duty of the board of supervisors of each of the four  
16 counties to levy the taxes in the number of mills specified by the  
17 board of trustees. The tax levy for maintenance and operation of  
18 the district shall not exceed four (4) mills nor shall the levy  
19 for capital outlay, including purchase of lands, construction and  
20 equipment of buildings and structures, and for making of major  
21 repairs, \* \* \* exceed three (3) mills. Any tax levy designated by  
22 the board of trustees for the retirement of bonds issued under  
23 Sections 37-29-401 through 37-29-437 shall not be included in the  
24 millage limitation provided in this section.

25 Promptly upon having certified the requirements of the  
26 district to the several boards of supervisors the board of  
27 trustees of the district shall cause publication of notice to be  
28 made in each county in a newspaper published or having general

29 circulation therein giving notice of the filing of the request for  
30 the levy aforesaid. Said notice shall be published at least one  
31 time and within ten (10) days after the certification of the  
32 request for such levy to the boards of supervisors. The said  
33 notice shall provide that the said levy requested will be made in  
34 each county unless a petition signed by twenty percent (20%) of  
35 the qualified electors of the district shall be filed with the  
36 secretary of the board of trustees of the said district within  
37 thirty (30) days from the date of the first publication protesting  
38 against the said levy and demanding an election thereon. In the  
39 event of the filing of such a petition, it shall be the duty of  
40 the secretary forthwith to call a special meeting of the board of  
41 trustees of the district setting forth the fact of the filing of  
42 such petition in the notice of the call and the said board shall  
43 promptly meet and consider the said petition. If it shall find  
44 that the same does in fact protest against the said levies and is  
45 in fact signed by at least twenty percent (20%) of the qualified  
46 electors of the said district, it shall then so certify to the  
47 boards of supervisors of the several counties. As early as  
48 possible but not later than fifteen (15) days after the receipt of  
49 such notice, it shall be the duty of the board of supervisors of  
50 each county to enter an order directing the election commissioners  
51 of the county to proceed to hold an election in all of the voting  
52 precincts of said county to determine whether or not the levy  
53 shall be made as requested by the board of trustees of the  
54 district.

55 The said election shall be held within thirty (30) days from  
56 the date of the said order of the board of supervisors requesting  
57 that the same be called and notice thereof shall be published once  
58 a week for three (3) weeks during the period between the order  
59 directing the election commissioners to hold the same and the  
60 actual date thereof.

61           The election shall be held in accordance with the laws  
62 governing general elections as nearly as is practicable and the  
63 election commissioners of each county shall, promptly after the  
64 holding of said election, certify to the secretary of the board of  
65 trustees of the district the result thereof in each county,  
66 certifying also the number of qualified electors in each county on  
67 the date of the holding of said election. The board of trustees  
68 of the district shall promptly meet and consider the several  
69 certificates of the election commissioners and shall determine the  
70 result of said election in the district. If it shall be  
71 determined that a majority of the qualified electors of the  
72 district have voted against the levy requested, the same shall not  
73 be made but the board of supervisors in each county shall continue  
74 in effect the levy made for the preceding fiscal year. If it be  
75 determined that a majority of the qualified electors has not voted  
76 against said levy, it shall be the duty of the board of  
77 supervisors of each county to make the levy as requested. \* \* \*

78           **SECTION 2.** This act shall take effect and be in force from  
79 and after its passage.