

By: Representative Eaton

To: Agriculture

HOUSE BILL NO. 1616

1 AN ACT TO AMEND SECTION 79-17-13, MISSISSIPPI CODE OF 1972,  
2 TO REDUCE FROM TEN TO THREE THE NUMBER OF AGRICULTURAL PRODUCERS  
3 REQUIRED TO FORM AN AGRICULTURAL ASSOCIATION; AND FOR RELATED  
4 PURPOSES.

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

6 **SECTION 1.** Section 79-17-13, Mississippi Code of 1972, is  
7 amended as follows:

8 79-17-13. Three (3) or more producers of agricultural  
9 products in the State of Mississippi who may desire that they,  
10 their associates, and successors shall come under this chapter and  
11 enjoy its benefits may enter into articles of association and  
12 incorporation, which shall set forth the name of the organization,  
13 the period of its existence (which shall be for not more than  
14 ninety-nine (99) years), its domicile, and that it is to be  
15 organized and operated under this chapter. Such articles shall be  
16 in duplicate and signed and acknowledged by all those named  
17 therein and filed with the Secretary of State of Mississippi.  
18 Upon the receipt of Twenty-five Dollars (\$25.00) as a recording  
19 fee, the Secretary of State shall file both of said copies,  
20 endorsing thereon over his official signature the filing and the  
21 date thereof. Thereupon and by such filing and indorsement, said  
22 association described in the said articles shall be and become a  
23 complete and valid corporation without capital stock and without  
24 individual liability on the part of the organizers, their  
25 associates and successors, who may become members of such  
26 incorporated association, or on the part of the directors and  
27 officers of such organization, notwithstanding indebtedness be  
28 incurred by said corporation and it be without capital stock.

29 Such articles when so filed shall be the charter of such  
30 corporation. Upon the filing and endorsement of the articles as  
31 aforesaid, the Secretary of State shall return one (1) of said  
32 copies of said articles to said corporation, which shall have the  
33 same recorded in the record of charters in the office of the clerk  
34 of the chancery court of the county in which the principal office  
35 or place of business of such corporation is located, and the  
36 Secretary of State shall retain the other copy of said articles  
37 for his files and record it and said endorsements thereon in the  
38 records of charters in his office. Such articles may be amended  
39 by the same procedure except that the proposed amendment shall be  
40 signed by two (2) executive officers, only after authority given  
41 by the vote of a majority of the members present at any membership  
42 meeting duly called and held; provided, however, that notice of  
43 such meeting and a statement of the substance of the proposed  
44 amendment to the articles of association and incorporation shall  
45 be mailed or delivered by hand to all members of the incorporated  
46 association at least fifteen (15) days prior to the date of such  
47 meeting. The recording fee for an amendment to such articles  
48 shall be Twenty Dollars (\$20.00).

49 **SECTION 2.** This act shall take effect and be in force from  
50 and after July 1, 2004.