

By: Senator(s) Gollott

To: Municipalities; County
Affairs

SENATE BILL NO. 2947

1 AN ACT TO AMEND SECTION 21-27-121, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE MUNICIPALITIES TO ENTER INTO INTERLOCAL AGREEMENTS TO
3 FORM REGIONAL AUTHORITIES TO REGULATE MOTOR VEHICLES FOR HIRE; TO
4 AMEND SECTION 17-13-9, MISSISSIPPI CODE OF 1972, TO AUTHORIZE
5 COUNTIES AND REGIONAL AIRPORTS TO ENTER INTO SUCH AGREEMENTS WITH
6 MUNICIPALITIES; TO PROVIDE THAT AGREEMENTS INCLUDE CERTAIN
7 REQUIREMENTS; TO AUTHORIZE MOTOR VEHICLE FOR HIRE REGIONAL
8 REGULATORY AUTHORITY TO EXERCISE POWERS OF MEMBER COUNTIES AND
9 MUNICIPALITIES; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** Section 17-13-9, Mississippi Code of 1972, is
12 amended as follows:

13 17-13-9. (1) Any agreement made hereunder shall specify the
14 following:

15 (a) Its duration.

16 (b) Its purpose or purposes.

17 (c) The precise organization, composition, nature and
18 powers of any separate legal or administrative entity created
19 thereby; the specific citation of statutory authority vested in
20 each of the local governmental units which is to be a party to the
21 agreement.

22 (d) The manner of financing, staffing and supplying the
23 joint or cooperative undertaking and of establishing and
24 maintaining a budget therefor; provided that the treasurer and/or
25 disbursing officer of one (1) of the local governmental units
26 shall be designated in the agreement to receive, disburse and
27 account for all funds of the joint undertaking as a part of the
28 duties of the officer or officers.

29 (e) The permissible method or methods to be employed in
30 accomplishing the partial or complete termination or amendment of

31 the agreement and for disposing of property upon such partial or
32 complete termination or amendment.

33 (f) The provision for administration, through a joint
34 board or other appropriate means, of the joint or cooperative
35 undertaking in the event that the agreement does not or may not
36 establish a separate legal entity to conduct the joint or
37 cooperative undertaking. In the case of a joint board, all local
38 governmental units party to the agreement shall be represented.

39 (g) The manner of acquiring, holding and disposing of
40 real and personal property used in the joint or cooperative
41 undertaking in the event that the agreement does not or may not
42 establish a separate legal entity to conduct the joint or
43 cooperative undertaking.

44 (h) Any other necessary and proper matters.

45 (2) Any municipality may enter into an agreement with a
46 county under this chapter to provide that sales of property for
47 the nonpayment of taxes levied by such municipality shall be made
48 by the county tax collector at the county courthouse in the same
49 manner as provided by law for sales of like property for unpaid
50 county taxes, and that redemptions of property sold for taxes
51 levied by such municipality shall be made through the chancery
52 clerk of the county.

53 (3) Municipalities having as a common border a road or
54 street may enter into an agreement pursuant to this chapter for
55 the provision of police protection and law enforcement within the
56 right-of-way of the street or roadway. An interlocal agreement
57 undertaken pursuant to this subsection shall make the following
58 provisions concerning violations occurring within the area subject
59 to the agreement:

60 (a) Joint or several enforcement of all penal laws of
61 the State of Mississippi which are misdemeanors made a violation
62 of city ordinance by operation of the provisions of Section
63 21-13-19;

64 (b) Prosecution in the municipal court of the
65 municipality employing the officer who made the arrest or issued
66 the citation; jurisdiction shall lie in either municipality, and
67 no charge filed in either municipal court shall be dismissed
68 because of improper venue or lack of jurisdiction asserted solely
69 on the grounds that the violation did not actually occur in the
70 jurisdiction in which it is being prosecuted if the violation
71 occurred in either jurisdiction; and

72 (c) Any actions reasonably necessary to provide police
73 protection and law enforcement pursuant to the agreement.

74 (4) Any municipality, county, public airport authority or
75 other local governmental unit may form a regional motor vehicle
76 for hire regulatory authority. The authority may exercise any
77 regulatory authority and other powers over motor vehicles for hire
78 of which the participating members may exercise. The powers and
79 responsibilities delegated to the regional authority shall be
80 specified in the agreement. The members of the regional authority
81 may create a joint board for the authority or provide that the
82 regional authority may be administered by an existing board within
83 the jurisdiction of participating members.

84 **SECTION 2.** Section 21-27-121, Mississippi Code of 1972, is
85 amended as follows:

86 21-27-121. (1) The governing authorities of municipalities
87 shall have the power to fix the rates and charges of persons
88 operating vehicles for the transportation of persons for
89 compensation within the limits of the municipality. The authority
90 granted by this section shall not apply, however, to railroads
91 operated within or through such municipality.

92 (2) The governing authorities of municipalities may enter
93 into interlocal agreements to form regional authorities to
94 regulate motor vehicles for hire as provided in Section 17-13-9.

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