

By: Representative Horne

To: Ways and Means

HOUSE BILL NO. 368

1 AN ACT TO AMEND SECTIONS 19-9-11, 19-9-13 AND 21-33-307,  
2 MISSISSIPPI CODE OF 1972, TO MANDATE THE HOLDING OF AN ELECTION ON  
3 THE QUESTION OF ISSUING COUNTY OR MUNICIPAL BONDS; AND FOR RELATED  
4 PURPOSES.

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

6 **SECTION 1.** Section 19-9-11, Mississippi Code of 1972, is  
7 amended as follows:

8 19-9-11. Before issuing any bonds for any of the purposes  
9 enumerated in Sections 19-9-1 and 19-9-3, the board of supervisors  
10 shall adopt a resolution declaring its intention so to do, stating  
11 the amount of bonds proposed to be issued and the purpose for  
12 which the bonds are to be issued, and the date upon which the  
13 board proposes to direct the issuance of such bonds. \* \* \* An  
14 election on the question of the issuance of such bonds shall be  
15 called and held as is provided in Sections 19-9-13 and  
16 19-9-15. \* \* \*

17 **SECTION 2.** Section 19-9-13, Mississippi Code of 1972, is  
18 amended as follows:

19 19-9-13. Notice of the election \* \* \* provided for in  
20 Section 19-9-11 \* \* \* shall be signed by the clerk of the board of  
21 supervisors and shall be published once a week for at least three  
22 (3) consecutive weeks in at least one (1) newspaper published in  
23 such county. The first publication of such notice shall be made  
24 not less than twenty-one (21) days prior to the date fixed for  
25 such election, and the last publication shall be made not more  
26 than seven (7) days prior to such date. If no newspaper is  
27 published in such county, then such notice shall be given by  
28 publishing the same for the required time in some newspaper having

29 a general circulation in such county and, in addition, by posting  
30 a copy of such notice for at least twenty-one (21) days next  
31 preceding such election at three (3) public places in such county.

32 **SECTION 3.** Section 21-33-307, Mississippi Code of 1972, is  
33 amended as follows:

34 21-33-307. Before issuing any bonds for any of the purposes  
35 enumerated in Section 21-33-301, the governing authority of the  
36 issuing municipality shall adopt a resolution declaring its  
37 intention so to do, stating the amount of bonds proposed to be  
38 issued and the purpose for which the bonds are to be issued, and  
39 the date upon which the aforesaid authority proposes to direct the  
40 issuance of such bonds. \* \* \* An election on the question of the  
41 bonds shall be called and held as is provided in Section  
42 21-33-309. Notice of such election shall be signed by the clerk  
43 of the municipality and shall be published once a week for at  
44 least three (3) consecutive weeks in at least one (1) newspaper  
45 published in such municipality. The first publication of such  
46 notice shall be made not less than twenty-one (21) days prior to  
47 the date fixed for such election, and the last publication shall  
48 be made not more than seven (7) days prior to such date. If no  
49 newspaper is published in such municipality, then such notice  
50 shall be given by publishing the same for the required time in  
51 some newspaper having a general circulation in such municipality  
52 and published in the same or an adjoining county and, in addition,  
53 by posting a copy of such notice for at least twenty-one (21) days  
54 next preceding such election at three (3) public places in such  
55 municipality. \* \* \*

56 Under no circumstances shall any municipality exceed the bond  
57 limit as set by statute for municipalities.

58 **SECTION 4.** The Attorney General of the State of Mississippi  
59 shall submit this act, immediately upon approval by the Governor,  
60 or upon approval by the Legislature subsequent to a veto, to the  
61 Attorney General of the United States or to the United States

62 District Court for the District of Columbia in accordance with the  
63 provisions of the Voting Rights Act of 1965, as amended and  
64 extended.

65         **SECTION 5.** This act shall take effect and be in force from  
66 and after the date it is effectuated under Section 5 of the Voting  
67 Rights Act of 1965, as amended and extended.