

By: Senator(s) Moffatt

To: Public Utilities; County Affairs

SENATE BILL NO. 2994

1 AN ACT TO AMEND SECTION 49-17-715, MISSISSIPPI CODE OF 1972,
2 TO REVOKE THE POWER AND AUTHORITY OF THE GEORGE COUNTY BOARD OF
3 SUPERVISORS TO REESTABLISH THE COUNTY UTILITY AUTHORITY UNDER THE
4 MISSISSIPPI GULF COAST REGION UTILITY ACT AFTER A CERTAIN DATE;
5 AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 49-17-715, Mississippi Code of 1972, is
8 amended as follows:

9 49-17-715. (1) There is hereby created and established a
10 public body corporate and politic constituting a political
11 subdivision of the State of Mississippi to be known as the "George
12 County Utility Authority," unless the George County Board of
13 Supervisors dissolves the authority by January 1, 2007, as
14 provided in subsection (2). The authority will be composed of the
15 geographic area of George County as defined in Section 19-1-39,
16 Mississippi Code of 1972, for the planning, acquisition,
17 construction, maintenance, operation and coordination of water,
18 wastewater and storm water systems in order to ensure the delivery
19 of water, wastewater and storm water services to citizens residing
20 within the boundaries of George County. The George County Utility
21 Authority shall be deemed to be acting in all respects for the
22 benefit of the people of the state in the performance of essential
23 public functions, and the George County Utility Authority shall be
24 empowered in accordance with the provisions of this act to promote
25 the health, welfare and prosperity of the general public.

26 (2) (a) The board of supervisors may dissolve the George
27 County Utility Authority by a resolution duly adopted and entered
28 on its minutes stating that the authority is dissolved, and

29 certifying compliance with the requirements for dissolution. The
30 board of supervisors shall file a certified copy of the resolution
31 with the Secretary of State and the Public Service Commission.
32 For the dissolution to be effective, the following requirements
33 must be met, the resolution must be adopted by January 1, 2007,
34 and the county authority must not have any outstanding
35 indebtedness of any kind or character nor have received any funds
36 for the construction or operation of water, wastewater or storm
37 water projects under this act.

38 (b) This subsection shall repeal January 2, 2007.

39 (3) If the county authority is dissolved, the board of
40 supervisors may reestablish the county authority by a resolution
41 duly adopted and entered on its minutes stating the necessity for
42 the county authority. The resolution to reestablish the county
43 authority must be adopted before July 1, 2007. The board shall
44 file a certified copy of the resolution with the Secretary of
45 State, the Public Service Commission and the utility board.

46 If the board of supervisors does not reestablish the county
47 authority before July 1, 2007, the power and authority of the
48 board of supervisors to reestablish the county authority is
49 expressly revoked and George County shall be excluded from
50 coverage under the Mississippi Gulf Coast Region Utility Act from
51 and after July 1, 2007.

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