

By: Senator(s) Browning, Bryan, Nunnelee,
Gordon, Little, Pickering

To: Local and Private;
Finance

SENATE BILL NO. 3212

1 AN ACT TO AUTHORIZE THE BOARDS OF SUPERVISORS OF PONTOTOC,
2 UNION AND LEE COUNTIES TO PARTICIPATE WITH THE THREE RIVERS
3 PLANNING AND DEVELOPMENT DISTRICT, INC., FOR THE PURPOSE OF
4 ASSISTING THE DISTRICT IN ECONOMIC DEVELOPMENT IN THE COUNTIES
5 SERVED BY THE DISTRICT; TO AUTHORIZE THE BOARDS OF SUPERVISORS OF
6 PONTOTOC, UNION AND LEE COUNTIES TO LEVY A SPECIAL AD VALOREM TAX
7 TO CARRY OUT THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** The Boards of Supervisors of Pontotoc, Union and
10 Lee Counties are authorized to participate with the Three Rivers
11 Planning and Development District, Inc.

12 **SECTION 2.** The following words and phrases shall have the
13 meanings ascribed in this section:

14 (a) "District" means the Three Rivers Planning and
15 Development District, Inc.

16 (b) "PUL Alliance" means an alliance of Pontotoc, Union
17 and Lee Counties established under the Regional Economic
18 Development Act (Section 57-64-1 et seq., Mississippi Code of
19 1972).

20 **SECTION 3.** The Boards of Supervisors of Pontotoc, Union and
21 Lee Counties are authorized to participate with the district for
22 the purpose of assisting the district in economic development in
23 the counties served by the district.

24 **SECTION 4.** The Boards of Supervisors of Pontotoc, Union and
25 Lee Counties shall have the following powers related to their
26 participation with the district:

27 (a) To execute any contracts and other instruments and
28 take any other action necessary or convenient to carry out the
29 purposes of Section 3 of this act;

30 (b) To enter into agreements with the district
31 regarding action to be taken by the boards of supervisors in
32 carrying out the purposes of Section 3 of this act;

33 (c) To enter into leases for real property, as
34 necessary or convenient to carry out the purposes of Section 3 of
35 this act, for terms not to exceed forty (40) years; however, such
36 leases shall be related to the purchase of real property for the
37 initiatives of the PUL Alliance and a certificate of public
38 convenience and necessity shall have been issued pursuant to
39 Section 57-64-9, Mississippi Code of 1972, for a project related
40 to the real property; and

41 (d) To do any and all things not otherwise prohibited
42 by law, that are necessary, useful or convenient to aid and
43 cooperate with the district and the PUL Alliance.

44 **SECTION 5.** (1) In addition to any other authority granted
45 by law, the Boards of Supervisors of Pontotoc, Union and Lee
46 Counties are authorized to annually levy a special ad valorem tax
47 in an amount not to exceed two (2) mills on all taxable property
48 within their county to carry out the provisions of this act. The
49 tax shall be in addition to all other tax levies provided by law.
50 Any millage imposed pursuant to this section shall be excluded
51 from the ten percent (10%) increase limitation under Section
52 27-39-321, Mississippi Code of 1972, and any other limitation on
53 the increase of ad valorem taxes. The taxes levied pursuant to
54 this section shall be levied for specific purposes and shall cease
55 to be levied when the debt of the district is eliminated for the
56 specific purpose for which it was levied.

57 (2) Before the special ad valorem tax authorized by this act
58 may be imposed or increased after it is initially imposed, the
59 board of supervisors of the county that desires to impose or
60 increase the tax shall adopt a resolution declaring its intention
61 to levy the tax and setting forth the amount of such tax or its
62 intention to increase the tax setting forth the amount of the

63 increase. Notice of the proposed tax or increase shall be
64 published once each week for at least three (3) consecutive weeks
65 in a newspaper having a general circulation in the county. The
66 first publication of the notice shall be made not less than
67 twenty-one (21) days before the date fixed in the resolution on
68 which the tax is to be imposed or increased, and the last
69 publication of the notice shall be made not more than seven (7)
70 days before such date. If, within the time of giving notice,
71 twenty percent (20%) or fifteen hundred (1500), whichever is less,
72 of the qualified electors of the county file a written petition
73 against the levy of the tax or the increase of the tax, then the
74 special ad valorem tax shall not be levied or increased unless
75 authorized by a majority of the qualified electors of the county,
76 voting at an election to be called and held for that purpose.

77 **SECTION 6.** The Boards of Supervisors of Pontotoc, Union and
78 Lee Counties are authorized to appropriate funds to the district
79 from any available funds to assist the district in carrying out
80 the provisions of this act.

81 **SECTION 7.** The Boards of Supervisors of Pontotoc, Union and
82 Lee Counties, Mississippi, shall submit this act, immediately upon
83 approval by the Governor, or upon approval by the Legislature
84 subsequent to a veto, to the Attorney General of the United States
85 or to the United States District Court for the District of
86 Columbia in accordance with the provisions of the Voting Rights
87 Act of 1965, as amended and extended.

88 **SECTION 8.** This act shall take effect and be in force from
89 and after the date it is effectuated under Section 5 of the Voting
90 Rights Act of 1965, as amended and extended.