

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.