

By: Senator(s) Tollison

To: Education

SENATE BILL NO. 2636

1 AN ACT TO AMEND SECTIONS 37-27-79, 37-27-81, 37-27-83,
2 37-27-87 AND 37-27-89, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT
3 FROM AND AFTER JULY 1, 2014, THE COAHOMA AGRICULTURAL HIGH SCHOOL
4 AND THE HINDS AGRICULTURAL HIGH SCHOOL, SHALL BE DISCONTINUED AND
5 THE STUDENTS, PROPERTY AND FUNDS SHALL BE TRANSFERRED TO THE
6 APPROPRIATE COUNTY SCHOOL DISTRICT IN THE HOME COUNTY; AND FOR
7 RELATED PURPOSES.

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

9 **SECTION 1.** Section 37-27-79, Mississippi Code of 1972, is
10 amended as follows:

11 37-27-79. * * * Effective July 1, 2014, the Coahoma
12 Agriculture High School shall be administratively transferred to
13 and consolidated with the Coahoma County School District and the
14 Hinds Agricultural High School shall be transferred to and
15 administratively consolidated with the Hinds County School
16 District. The former board of trustees of the said agricultural
17 high schools shall be abolished on July 1, 2014. All real and
18 personal property which is owned or titled in the name of the said
19 agricultural high schools shall be transferred to the appropriate
20 countywide school district. The students attending the said



21 agricultural high schools shall be deemed to be students of the
22 school district where they reside. The Coahoma County Board of
23 Education may, in its discretion, continue the operations of the
24 Coahoma Agriculture High School, and the Hinds County Board of
25 Education may, in its discretion, continue the operations of the
26 Hinds Agricultural High School, and the students may be allowed to
27 continue to attend said agricultural high schools. The Hinds
28 County Board of Education is authorized and empowered, in its
29 discretion, to close Hinds Agricultural High School and transfer
30 its students to another high school in the county with sufficient
31 space to accommodate the students who had attended the
32 agricultural high school. Each affected school board shall be
33 responsible for establishing the contracts for teachers and
34 principals for the next school year following the required
35 administrative consolidation of the agricultural high school if
36 its operation is to be continued. It shall be the responsibility
37 of the successor county board of education to prepare and approve
38 the budget of the agricultural high school if its operation is to
39 be continued, and the county board of education may use staff from
40 the former agricultural high school to prepare the budget. Any
41 proposed order of the successor county board of education
42 directing the transfer of the assets, real or personal property of
43 an affected agricultural high school shall be submitted and
44 approved by the State Board of Education. The finding of the
45 State Board of Education shall be final and conclusive for the



46 purpose of the transfer of property required by such
47 administrative consolidation. Any person aggrieved by an order of
48 the successor county board of education pursuant to the required
49 administrative consolidation of an agricultural high school may
50 appeal therefrom to the State Board of Education within ten (10)
51 days from the date of the adjournment of the meeting at which such
52 order is entered. Such appeal shall be de novo, and the finding
53 of the State Board of Education upon such question shall be final
54 and conclusive for the purpose of the approval or disapproval of
55 the action by said county board of education. When any
56 agricultural high school is abolished under the provisions of this
57 section, the abolition thereof shall not impair or release the
58 property of such former agricultural high school from liability
59 for the payment of the bonds or other indebtedness of such
60 agricultural high school and it shall be the duty of the board of
61 supervisors of said county to continue to levy taxes on the
62 property of said county from year to year according to the terms
63 of such indebtedness until same shall be fully paid.

64 **SECTION 2.** Section 37-27-81, Mississippi Code of 1972, is
65 amended as follows:

66 37-27-81. When an agricultural high school is abolished
67 under the provisions of Section 37-27-79, as amended by the
68 provisions of this act, then it shall be the duty of the * * *
69 county board of education to advertise the sale of and to sell all
70 of the property of such school to the highest bidders for cash.



71 The proceeds of such sale shall be used to pay off any outstanding
72 indebtedness of such school. If there is a balance after paying
73 all outstanding indebtedness then such balance shall be paid into
74 the county school fund of such county or counties.

75 In the event the proceeds of the sale of the property of such
76 school are not sufficient to pay all outstanding indebtedness of
77 such school, then the board or boards of supervisors of such
78 county or counties shall levy a tax on the property of the county
79 or counties sufficient to pay the outstanding indebtedness when it
80 becomes due.

81 Alternatively, the * * * county board of education may
82 transfer any part or all of such property to * * * the countywide
83 school district in said county.

84 **SECTION 3.** Section 37-27-83, Mississippi Code of 1972, is
85 amended as follows:

86 37-27-83. The board of trustees of * * * the Coahoma
87 Agricultural High School * * * and the Hinds Agricultural High
88 School pursuant to the order of the appropriate county board of
89 education under the requirements of Section 37-27-79, is hereby
90 authorized to sell and dispose of the lands, buildings, and other
91 property belonging to such school, and place the proceeds derived
92 from the sale of same to the credit of the county common school
93 fund.

94 Sale of said property may be made at public or private sale
95 on such terms as the board of trustees may elect, subject to the



96 approval of the * * * county board of education. In case of sale
97 on credit, the deferred payments shall be evidenced by notes
98 payable to the county, for the benefit of the county common school
99 fund and shall bear interest at a rate of not less than six * * *
100 percent (6%) per annum, and the county shall have a lien on the
101 property for the purchase-money, as against all persons, until
102 paid.

103 The deed or deeds of conveyance shall be executed by the
104 president or chairman and the secretary of the board of trustees,
105 pursuant to an order of the board of trustees, entered on its
106 minutes, and pursuant to an order of approval by the * * * county
107 board of education entered on its minutes, and when so executed
108 shall be fully effective to convey title to said property.

109 **SECTION 4.** Section 37-27-87, Mississippi Code of 1972, is
110 amended as follows:

111 37-27-87. In the event any such school is permanently
112 discontinued, as provided for in Section * * * 37-27-79, the board
113 of trustees of such school and the * * * county board of education
114 of the county in which such school is located, are further
115 authorized to transfer to the county common school fund of the
116 county all funds on hand in the county treasury or depository to
117 the credit of such school, including all maintenance funds and
118 other funds belonging to such school. In case the school thus
119 discontinued shall be a joint school maintained by two (2)
120 counties, as now provided by law, the school funds belonging to



121 such school and the proceeds derived from the sale of school
122 property shall be divided between the counties interested in
123 proportion to the amount of funds contributed by each county to
124 the establishment and maintenance of such school.

125 **SECTION 5.** Section 37-27-89, Mississippi Code of 1972, is
126 amended as follows:

127 37-27-89. All funds placed to the credit of the county
128 common school fund, under the provisions of Sections * * *
129 37-27-79, 37-27-83 and 37-27-87, shall be distributed in the same
130 manner as is provided for the distribution of the county common
131 school funds, and shall be used for the support and maintenance of
132 the public schools of the county.

133 **SECTION 6.** This act shall take effect and be in force from
134 and after July 1, 2013.

