

By: Representatives Rogers (61st),  
Weathersby

To: Public Property; Ways  
and Means

HOUSE BILL NO. 1468

1 AN ACT TO AMEND SECTION 19-5-99, MISSISSIPPI CODE OF 1972, TO  
2 REVISE THE ENTITIES TO WHICH ECONOMIC DEVELOPMENT DISTRICTS MAY  
3 TRANSFER INDUSTRIAL SITES WITHIN INDUSTRIAL PARKS TO INCLUDE THE  
4 MISSISSIPPI MILITARY DEPARTMENT AND THE MISSISSIPPI NATIONAL  
5 GUARD; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 19-5-99, Mississippi Code of 1972, is  
8 amended as follows:

9 19-5-99. (1) Subject to the provisions of Section 19-9-111,  
10 the board of supervisors of any county in the State of  
11 Mississippi, in its discretion, by order duly entered on its  
12 minutes, may establish economic development districts comprising  
13 all of the county, or one or more supervisors districts of the  
14 county, or may establish such economic development districts in  
15 cooperation with one or more other counties or with municipalities  
16 or with other local and private economic development groups. The  
17 board of supervisors may do everything within its power to secure  
18 and further industrial development of the county or counties or



19 district, to advertise the natural resources and possibilities of  
20 the same, and to maintain and support the same.

21 All monies collected for the support and maintenance of such  
22 economic development district, in accordance with the tax levy  
23 provided in Section 19-9-111, shall be placed in the county  
24 treasury to the credit of the county or district economic  
25 development fund and shall be expended as other public funds are  
26 expended, and in which event the employees of such economic  
27 development district shall be employees of the county and  
28 considered as such. In addition to such funds provided by  
29 taxation, the board of supervisors of such county may accept  
30 gifts, gratuities and donations from municipalities in such  
31 districts and from any persons, firms or corporations desiring to  
32 make such donations. Such appropriation, gift or donation shall  
33 also be placed in the county treasury and be expended in the  
34 support and maintenance of such district.

35 At the option of such board of supervisors, or boards of  
36 supervisors if more than one (1) county is embraced in such  
37 economic development district, it may provide for the management  
38 of such economic development district by appointing not more than  
39 twenty-five (25) nor less than five (5) trustees, or if a  
40 multicounty district not more than five (5) trustees per  
41 participating county, who shall be qualified electors residing  
42 within such economic development district, to manage the affairs  
43 of such district, and in which event the funds made available by



44 the county or counties for the support and maintenance of such  
45 economic development district may be expended by a majority vote  
46 of such trustees so appointed to manage such economic development  
47 district. Each trustee who is an officer of the economic  
48 development district shall qualify by giving bond, with sufficient  
49 surety, to be payable, conditioned and approved as provided by  
50 law, in a penalty equal to Fifty Thousand Dollars (\$50,000.00),  
51 the premiums on all such surety bonds being paid by such economic  
52 development district. If this option is exercised and such  
53 districts operated and maintained under this paragraph, then in  
54 such event the employees of such economic development district  
55 shall not be considered as employees of the county for state  
56 retirement or any other purposes.

57 All funds secured and expended under the provisions of this  
58 section shall be public funds and the Auditor of Public Accounts  
59 of the State of Mississippi shall audit the same as other public  
60 funds are now audited.

61 Notwithstanding any provision of this section to the  
62 contrary, the board of supervisors of a county having therein an  
63 economic development district established under this section or  
64 any other law and the governing authorities of any municipality  
65 located within the economic development district in such county  
66 may enter into a contract providing for the contribution of funds  
67 by the municipality or other local and private economic  
68 development groups to the economic development district and



69 providing for the appointment by the municipal governing  
70 authorities or other local and private economic development groups  
71 of a number of trustees, as determined by the parties to the  
72 contract, to assist in the management of the district. In like  
73 manner, any economic or industrial development foundation or  
74 private economic development group may enter into a contract with  
75 the board of supervisors of the county or jointly with the board  
76 of supervisors of the county and municipal governing authorities  
77 providing for the contribution of funds by the economic or  
78 industrial development foundation or private economic development  
79 group to the economic development district and providing for the  
80 appointment by the officials or governing board of the foundation  
81 of a number of trustees, as determined by the parties to the  
82 contract, to assist in the management of the district.

83       (2) Any economic development district established under this  
84 section may, when suitable office space is not otherwise  
85 available, purchase and acquire title to real estate within the  
86 district and make any improvements thereon to provide the office  
87 space it considers necessary for efficient operation of such  
88 district. Provided, however, that no contract or agreement for  
89 the exclusive listing, sale or representation for sale of publicly  
90 owned property shall be entered into by such economic development  
91 districts with any real estate broker or brokers.

92       (3) (a) Any economic development district established under  
93 this section shall have the authority to acquire by gift, purchase



94 or otherwise, and to own, hold, maintain, control and develop real  
95 estate situated within the county or counties comprising such  
96 district for the development, use and operation of industrial  
97 parks or other industrial development purposes. The district is  
98 further authorized and empowered to engage in works of internal  
99 improvement therefor including, but not limited to, construction  
100 or contracting for the construction of streets, roads, railroads,  
101 spur tracks, site improvements, water, sewerage, drainage,  
102 pollution control and other related facilities necessary or  
103 required for industrial development purposes or the development of  
104 industrial park complexes; to acquire, purchase, install, lease,  
105 construct, own, hold, equip, control, maintain, use, operate and  
106 repair other structures and facilities necessary and convenient  
107 for the planning, development, use, operation and maintenance of  
108 an industrial park or parks or for other industrial development  
109 purposes, including, but not limited to, utility installations,  
110 elevators, compressors, warehouses, buildings and air, rail and  
111 other transportation terminals and pollution control facilities.

112 (b) Contracts for the construction, improvement,  
113 equipping or furnishing of an industrial site and improvements  
114 thereon as authorized in this section shall be entered into upon  
115 the basis of public bidding under Section 31-7-1 et seq.

116 (4) For the development of such projects, the board of  
117 supervisors of any county that establishes an economic development  
118 district under this section or that establishes an economic



development district in cooperation with one or more other  
counties, or municipalities or other local and private economic  
groups, may, upon receipt of a resolution duly adopted by the  
trustees of such district, issue, secure and manage its bonds in  
the manner prescribed by Sections 19-9-5, 19-9-7, 19-9-9, 19-9-11,  
19-9-13, 19-9-15, 19-9-17, 19-9-19, 19-9-21, 19-9-23, 19-9-25 and  
19-9-29. Such bonds shall be sold in accordance with the  
provisions of Section 31-19-25. The full faith, credit and  
resources of the county shall be irrevocably pledged for the  
payment of the principal of and interest on the bonds issued under  
this section. Any income derived from the sale or lease of the  
property authorized to be acquired under this section shall be  
applied in one or more of the following manners: (a) the  
retirement of bonds authorized to be issued under this section;  
(b) further improvement or development of such industrial parks or  
other related industrial development activities; or (c) payment  
into the general fund of the county to be used for any lawful  
purpose. Any amounts so paid into the general fund shall be  
included in the computation of total receipts and subject to the  
restrictions of Section 27-39-321. The board of supervisors may  
covenant with or for the benefit of the registered owners of any  
bonds issued under this section with respect to the application of  
any or all of such income and shall, by resolution adopted before  
or promptly after receipt of any such income, determine, in its  
discretion subject only to the restrictions set forth above and



any covenants made to or for the benefit of any registered owners of bonds issued under this section, the manner in which such income shall be applied.

The bonds authorized by this section and the income therefrom shall be exempt from all taxation in the State of Mississippi; however, any lessee or purchaser shall not be exempt from ad valorem taxes on industrial sites and improvements thereon unless otherwise provided by the general laws of this state, and purchases required to establish the project and financed by bond proceeds shall not be exempt from taxation in the State of Mississippi.

(5) Economic development districts established under this section are authorized and empowered:

(a) To sell, lease, trade, exchange or otherwise dispose of industrial sites or rail lines situated within industrial parks to individuals, firms or corporations, public or private, for industrial and warehouse use, as well as the Mississippi Military Department or Mississippi National Guard for military use, upon such terms and conditions, and for such considerations, with such safeguards as will best promote and protect the public interest, convenience and necessity, and to execute deeds, leases, contracts, easements and other legal instruments necessary or convenient therefor. Any industrial lease may be executed by the district upon such terms and conditions and for such monetary rental or other considerations as



may be found to be in the best interest of the public, upon an order or resolution being spread upon the minutes of the district authorizing same.

(b) To sue and be sued in their own name.

(c) To fix and prescribe fees, charges and rates for the use of any water, sewerage, pollution control or other facilities constructed and operated in connection with an industrial park or parks and to collect same from persons, firms and corporations using the same for industrial, warehouse and related purposes and are further empowered to deny or terminate such services for nonpayment of said fees, charges or rates by the users of said services.

(d) To employ engineers, attorneys, accountants, consultants, licensed real estate brokers and appraisers, and such executive and administrative personnel as shall be reasonably necessary to carry out the duties and authority authorized by this section with funds available for such purposes. Such districts may also contribute money directly to the development and cost of operation of any industrial development foundation or other private economic development group in the county.

(6) Any county board of supervisors authorized to issue bonds under this section is hereby authorized, either separately or jointly with the governing authority of any municipality within the county, to acquire, enlarge, expand, renovate or improve an existing building or buildings located in the county or



194 municipality and to issue bonds for such purpose in the manner  
195 provided by this section.

196       (7) Economic development districts established under the  
197 provisions of a local and private act enacted before July 1, 1997,  
198 are authorized and empowered to employ engineers, attorneys,  
199 accountants, consultants, licensed real estate brokers and  
200 appraisers, and such executive and administrative personnel as  
201 shall be reasonably necessary to carry out the duties and  
202 authority authorized by this section, or by such local and private  
203 act, with funds available for such purposes.

204       (8) The enumeration of any specific rights and powers  
205 contained in this section where followed by general powers shall  
206 not be construed in a restrictive sense, but rather in as broad  
207 and comprehensive a sense as possible to effectuate the purposes  
208 of this section.

209       **SECTION 2.** This act shall take effect and be in force from  
210 and after July 1, 2019.

