

Senate Amendments to House Bill No. 1533

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

19 **SECTION 1.** Section 1, Chapter 386, Laws of 2017, as amended
20 by Section 3, Chapter 449, Laws of 2018, is amended as follows:

21 Section 1. (1) The Department of Finance and Administration
22 may transfer and convey to the Columbia-Marion County Airport
23 Authority certain real property located at Columbia Training
24 School in Marion County, Mississippi. The real property contains
25 approximately two hundred four (204) acres, more or less, lying
26 North of Highway 44 and is more particularly described as follows:

27 Commencing at the Southwest corner of Section 22,
28 Township 4 North, Range 18 West, Marion County,
29 Mississippi; thence run north along said section line a
30 distance of 3,350 feet, more or less, to the south
31 boundary of a parcel owned by The City of Columbia;
32 thence continue to run along parcel boundary east a
33 distance of 1,320 feet, more or less, thence continue to
34 run along said City of Columbia parcel boundary north a
35 distance of 1,612 feet, more or less, to the Point of

36 Beginning; thence run N 61°40'00" E a distance of 4,470
37 feet, more or less, to the east boundary of Section 15;
38 thence run along said Section line north a distance of
39 2,954 feet, more or less; thence leaving said Section
40 line run S 48°06'08" W a distance of 5,296 feet, more or
41 less, to the east boundary of a parcel owned by The City
42 of Columbia; thence run along said boundary South a
43 distance of 1,539 feet, more or less, back to the Point
44 of Beginning. Said parcel containing 204 acres, more or
45 less, and being located in the South 1/2 and the NE 1/4
46 of Section 15, Township 4 North, Range 18 West, Marion
47 County, Mississippi, and the NE 1/4 of the NW 1/4 of
48 Section 22, Township 4 North, Range 18 West, Marion
49 County, Mississippi.

50 (2) (a) The Department of Finance and Administration may
51 transfer and convey to the Marion County Economic Development
52 District certain real property located at Columbia Training School
53 in Marion County, Mississippi. The real property contains
54 approximately four hundred six (406) acres, more or less, lying
55 North of Highway 44 and is more particularly described as follows:

56 Beginning at the Southwest corner of Section 22,
57 Township 4 North, Range 18 West, Marion County,
58 Mississippi; thence run north along said section line a
59 distance of 3,350 feet, more or less, to the south
60 boundary of a parcel owned by The City of Columbia;
61 thence run east a distance of 5,280 feet, more or less,

62 to the east boundary of Section 22; thence run south
63 along said section line a distance of 3,350 feet, more
64 or less, to the southeast corner of Section 22; thence
65 run west a distance of 5,280 feet, more or less, back to
66 the Point of Beginning. Said parcel containing 406
67 acres, more or less, and being located in the South ¹/₂
68 and the South ¹/₂ of the North ¹/₂ of Section 22,
69 Township 4 North, Range 18 West, Marion County,
70 Mississippi.

71 (b) (i) The Marion County Economic Development
72 District is authorized to transfer and convey without cost a
73 certain portion of the real property described in paragraph (a) of
74 this subsection (2) located at Columbia Training School in Marion
75 County, Mississippi, to the Board of Supervisors of Marion County
76 for the purpose of law enforcement training. The real property
77 contains approximately eighteen (18) acres, more or less, and is
78 more particularly described as follows:

79 Commencing at a found concrete marker at the Southwest
80 corner of Section 22, Township 4 North, Range 18 West,
81 Marion County, Mississippi; thence run along said
82 section line North 00 degrees 04 minutes 43 seconds West
83 a distance of 1,859.88 feet to the Point of Beginning of
84 an easement described as follows: Thence continue North
85 00 degrees 04 minutes 43 seconds West a distance of
86 1,484.29 feet; thence run North 89 degrees 44 minutes 14
87 seconds East a distance of 1,060.04 feet, thence run

88 South 35 degrees 23 minutes 33 seconds West a distance
89 of 1,826.72 feet, back to the Point of Beginning; said
90 easement containing 18.0 acres, more or less, and being
91 located in the NW 1/4 of the SW 1/4 and the SW 1/4 of
92 the NW 1/4 of Section 22, Township 4 North, Range 18
93 West, Marion County, Mississippi.

94 (ii) The property transaction authorized in
95 subparagraph (i) of this paragraph (b) shall not be subject to the
96 monetary consideration requirements set forth in Section
97 19-5-99(5) (a). Additionally, the property transferred and
98 conveyed under subparagraph (i) of this paragraph (b) shall not be
99 subject to the use restrictions set forth in Section 19-5-99(5) (a)
100 and in subsection (3) of this section.

101 (3) The aggregate of parcels described in subsections (1)
102 and (2) of this section consists of six hundred ten (610) acres,
103 more or less, of the Columbia Training School Property, which the
104 entirety of such section whereon the named property is situated
105 consists of one thousand eight hundred twenty-three (1,823) acres,
106 more or less. Except as otherwise provided in subsection (2) (b)
107 of this section, the remaining property transferred and conveyed
108 under subsections (1) and (2) of this section shall only be used
109 to make improvements to the Marion County Airport and to construct
110 an adjacent industrial park or other aviation-related facility.

111 (4) The State of Mississippi shall retain any mineral rights
112 to the property transferred and conveyed under subsections (1) and
113 (2) of this section. The Department of Finance and Administration

114 shall have the authority to correct any discrepancies in the
115 property descriptions provided in subsections (1) and (2) of this
116 section.

117 (5) (a) The parcels of property conveyed under this section
118 must be conveyed to the Columbia-Marion County Airport Authority
119 and to the Marion County Economic Development District without any
120 assumption of liability or financial responsibility by the State
121 of Mississippi for any known or unknown environmental defects
122 contained thereon. Upon receipt of the deed of title to the
123 property, the respective recipients, in their individual
124 capacities, shall indemnify the State of Mississippi for any
125 damage, injury or loss.

126 (b) The Columbia-Marion County Airport Authority and
127 the Marion County Economic Development District shall provide the
128 Mississippi Department of Human Services six (6) months to harvest
129 and sell any timber located on the property transferred using a
130 company of the department's preference prior to any improvement or
131 development being made on the property by such entities, the
132 revenue generated from which shall be deposited into the State
133 Treasury and earmarked for use by the Department of Human Services
134 for all administrative and program purposes deemed necessary by
135 the executive director. Upon harvesting the timber upon the
136 property within the time specified in this paragraph, the
137 department shall forfeit all future rights to any timber remaining
138 on or regrown on the property, as well as any right of easement
139 for accessing the land.

140 (6) The Columbia-Marion County Airport Authority and the
141 Marion County Economic Development District shall each grant the
142 Department of Human Services an easement of ingress and egress to
143 access the remaining parcels of property retained by the
144 Department of Human Services if reasonable access to such
145 remaining parcels is not otherwise available.

146 **SECTION 2.** Chapter 386, Laws of 2017, as amended by Section
147 3, Chapter 449, Laws of 2018, is amended as follows:

148 Section 2. (1) The Department of Finance and
149 Administration, acting on behalf of the Mississippi Department of
150 Human Services, is authorized to transfer and convey to the Marion
151 County Economic Development District certain real property located
152 at Columbia Training School in Marion County, Mississippi, for the
153 purpose of providing unobstructed access for the industrial
154 development of the Marion County AirPlex on the property
155 transferred under subsection (2)(a) of Section 1 of this chapter.
156 The real property contains approximately forty (40) acres, more or
157 less, and is more particularly described as follows:

158 Beginning at a found concrete monument at the Southeast
159 corner of Section 21, Township 4 North, Range 18 West,
160 Marion County, Mississippi, and run westerly along the
161 southern boundary of Section 21 for a distance of 975.58
162 feet, more or less, to the easternmost right-of-way line
163 of Airport Road. Thence run in a southeasterly
164 direction along said right-of-way line the following
165 calls; run along a curve to the right having an arc

166 length of 261.47 feet, a radius of 735.00 feet, a chord
167 distance of 260.09 feet, and a chord bearing of South 31
168 degrees 52 minutes 25 seconds East; thence continue
169 along said right-of-way line South 21 degrees 40 minutes
170 56 seconds East a distance of 1,480.92 feet; thence
171 leaving said right-of-way line run North 43 degrees 58
172 minutes 36 seconds East a distance of 2,219.24 feet,
173 more or less, to the north boundary line of Section 27;
174 thence run westerly along said north boundary line of
175 Section 27 for a distance of 1,249.87 feet back to the
176 Point of Beginning. Said parcel containing 40.0 acres,
177 more or less, and being located in the SE 1/4 of the NE
178 1/4 of Section 28 and the NE 1/4 of the NE 1/4 of
179 Section 28 and the SE 1/4 of the NE 1/4 of Section 28
180 and the NW 1/4 of the NW 1/4 of Section 27, Township 4
181 North, Range 18 West, Marion County, Mississippi.

182 (2) The State of Mississippi shall retain any mineral rights
183 to the property transferred and conveyed under subsection (1) of
184 this section. The Department of Finance and Administration shall
185 have the authority to correct any discrepancies in the property
186 descriptions provided in subsection (1) of this section.

187 (3) The parcels of property conveyed under this section must
188 be conveyed to the Marion County Economic Development District
189 without any assumption of liability or financial responsibility by
190 the State of Mississippi for any known or unknown environmental
191 defects contained thereon. Upon receipt of the deed of title to

192 the property, the Marion County Economic Development District
193 shall indemnify the State of Mississippi for any damage, injury or
194 loss.

195 **SECTION 3.** Section 43-27-39, Mississippi Code of 1972, is
196 amended as follows:

197 43-27-39. (1) The purpose of this section is to ensure that
198 Mississippi's juvenile justice system is cost-efficient and
199 effective at reducing juvenile crime and to create a continuum of
200 options for Mississippi's youth court judges so that they are
201 better equipped to protect our communities and to care for our
202 children.

203 (2) The Columbia Training School shall no longer operate as
204 a secure training school for juvenile delinquents. All youth,
205 both male and female, committed to the custody of the Department
206 of Human Services and adjudicated to training school shall be
207 housed at the Oakley Youth Development Center. The Oakley Youth
208 Development Center shall provide gender-specific treatment for
209 youth who are adjudicated delinquent.

210 (3) Any portion of Columbia Training School property and
211 facilities described in Section 1 of Chapter 553, Laws of 2012,
212 may be conveyed or transferred to the Board of Supervisors of
213 Marion County, Mississippi.

214 (4) Any portion of Columbia Training School property and
215 facilities described in Section 2 of Chapter 386, Laws of 2017,
216 may be conveyed or transferred to the Marion County Economic

217 Development District for the purposes prescribed under that
218 section.

219 **SECTION 4.** Section 19-5-99, Mississippi Code of 1972, is
220 brought forward as follows:

221 19-5-99. (1) Subject to the provisions of Section 19-9-111,
222 the board of supervisors of any county in the State of
223 Mississippi, in its discretion, by order duly entered on its
224 minutes, may establish economic development districts comprising
225 all of the county, or one or more supervisors districts of the
226 county, or may establish such economic development districts in
227 cooperation with one or more other counties or with municipalities
228 or with other local and private economic development groups. The
229 board of supervisors may do everything within its power to secure
230 and further industrial development of the county or counties or
231 district, to advertise the natural resources and possibilities of
232 the same, and to maintain and support the same.

233 All monies collected for the support and maintenance of such
234 economic development district, in accordance with the tax levy
235 provided in Section 19-9-111, shall be placed in the county
236 treasury to the credit of the county or district economic
237 development fund and shall be expended as other public funds are
238 expended, and in which event the employees of such economic
239 development district shall be employees of the county and
240 considered as such. In addition to such funds provided by
241 taxation, the board of supervisors of such county may accept
242 gifts, gratuities and donations from municipalities in such

243 districts and from any persons, firms or corporations desiring to
244 make such donations. Such appropriation, gift or donation shall
245 also be placed in the county treasury and be expended in the
246 support and maintenance of such district.

247 At the option of such board of supervisors, or boards of
248 supervisors if more than one (1) county is embraced in such
249 economic development district, it may provide for the management
250 of such economic development district by appointing not more than
251 twenty-five (25) nor less than five (5) trustees, or if a
252 multicounty district not more than five (5) trustees per
253 participating county, who shall be qualified electors residing
254 within such economic development district, to manage the affairs
255 of such district, and in which event the funds made available by
256 the county or counties for the support and maintenance of such
257 economic development district may be expended by a majority vote
258 of such trustees so appointed to manage such economic development
259 district. Each trustee who is an officer of the economic
260 development district shall qualify by giving bond, with sufficient
261 surety, to be payable, conditioned and approved as provided by
262 law, in a penalty equal to Fifty Thousand Dollars (\$50,000.00),
263 the premiums on all such surety bonds being paid by such economic
264 development district. If this option is exercised and such
265 districts operated and maintained under this paragraph, then in
266 such event the employees of such economic development district
267 shall not be considered as employees of the county for state
268 retirement or any other purposes.

269 All funds secured and expended under the provisions of this
270 section shall be public funds and the Auditor of Public Accounts
271 of the State of Mississippi shall audit the same as other public
272 funds are now audited.

273 Notwithstanding any provision of this section to the
274 contrary, the board of supervisors of a county having therein an
275 economic development district established under this section or
276 any other law and the governing authorities of any municipality
277 located within the economic development district in such county
278 may enter into a contract providing for the contribution of funds
279 by the municipality or other local and private economic
280 development groups to the economic development district and
281 providing for the appointment by the municipal governing
282 authorities or other local and private economic development groups
283 of a number of trustees, as determined by the parties to the
284 contract, to assist in the management of the district. In like
285 manner, any economic or industrial development foundation or
286 private economic development group may enter into a contract with
287 the board of supervisors of the county or jointly with the board
288 of supervisors of the county and municipal governing authorities
289 providing for the contribution of funds by the economic or
290 industrial development foundation or private economic development
291 group to the economic development district and providing for the
292 appointment by the officials or governing board of the foundation
293 of a number of trustees, as determined by the parties to the
294 contract, to assist in the management of the district.

295 (2) Any economic development district established under this
296 section may, when suitable office space is not otherwise
297 available, purchase and acquire title to real estate within the
298 district and make any improvements thereon to provide the office
299 space it considers necessary for efficient operation of such
300 district. Provided, however, that no contract or agreement for
301 the exclusive listing, sale or representation for sale of publicly
302 owned property shall be entered into by such economic development
303 districts with any real estate broker or brokers.

304 (3) (a) Any economic development district established under
305 this section shall have the authority to acquire by gift, purchase
306 or otherwise, and to own, hold, maintain, control and develop real
307 estate situated within the county or counties comprising such
308 district for the development, use and operation of industrial
309 parks or other industrial development purposes. The district is
310 further authorized and empowered to engage in works of internal
311 improvement therefor including, but not limited to, construction
312 or contracting for the construction of streets, roads, railroads,
313 spur tracks, site improvements, water, sewerage, drainage,
314 pollution control and other related facilities necessary or
315 required for industrial development purposes or the development of
316 industrial park complexes; to acquire, purchase, install, lease,
317 construct, own, hold, equip, control, maintain, use, operate and
318 repair other structures and facilities necessary and convenient
319 for the planning, development, use, operation and maintenance of
320 an industrial park or parks or for other industrial development

321 purposes, including, but not limited to, utility installations,
322 elevators, compressors, warehouses, buildings and air, rail and
323 other transportation terminals and pollution control facilities.

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

328 (4) For the development of such projects, the board of
329 supervisors of any county that establishes an economic development
330 district under this section or that establishes an economic
331 development district in cooperation with one or more other
332 counties, or municipalities or other local and private economic
333 groups, may, upon receipt of a resolution duly adopted by the
334 trustees of such district, issue, secure and manage its bonds in
335 the manner prescribed by Sections 19-9-5, 19-9-7, 19-9-9, 19-9-11,
336 19-9-13, 19-9-15, 19-9-17, 19-9-19, 19-9-21, 19-9-23, 19-9-25 and
337 19-9-29. Such bonds shall be sold in accordance with the
338 provisions of Section 31-19-25. The full faith, credit and
339 resources of the county shall be irrevocably pledged for the
340 payment of the principal of and interest on the bonds issued under
341 this section. Any income derived from the sale or lease of the
342 property authorized to be acquired under this section shall be
343 applied in one or more of the following manners: (a) the
344 retirement of bonds authorized to be issued under this section;
345 (b) further improvement or development of such industrial parks or
346 other related industrial development activities; or (c) payment

347 into the general fund of the county to be used for any lawful
348 purpose. Any amounts so paid into the general fund shall be
349 included in the computation of total receipts and subject to the
350 restrictions of Section 27-39-321. The board of supervisors may
351 covenant with or for the benefit of the registered owners of any
352 bonds issued under this section with respect to the application of
353 any or all of such income and shall, by resolution adopted before
354 or promptly after receipt of any such income, determine, in its
355 discretion subject only to the restrictions set forth above and
356 any covenants made to or for the benefit of any registered owners
357 of bonds issued under this section, the manner in which such
358 income shall be applied.

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

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

369 (a) To sell, lease, trade, exchange or otherwise
370 dispose of industrial sites or rail lines situated within
371 industrial parks to individuals, firms or corporations, public or
372 private, for industrial and warehouse use upon such terms and

373 conditions, and for such considerations, with such safeguards as
374 will best promote and protect the public interest, convenience and
375 necessity, and to execute deeds, leases, contracts, easements and
376 other legal instruments necessary or convenient therefor. Any
377 industrial lease may be executed by the district upon such terms
378 and conditions and for such monetary rental or other
379 considerations as may be found to be in the best interest of the
380 public, upon an order or resolution being spread upon the minutes
381 of the district authorizing same.

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

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

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

399 (6) Any county board of supervisors authorized to issue
400 bonds under this section is hereby authorized, either separately
401 or jointly with the governing authority of any municipality within
402 the county, to acquire, enlarge, expand, renovate or improve an
403 existing building or buildings located in the county or
404 municipality and to issue bonds for such purpose in the manner
405 provided by this section.

406 (7) Economic development districts established under the
407 provisions of a local and private act enacted before July 1, 1997,
408 are authorized and empowered to employ engineers, attorneys,
409 accountants, consultants, licensed real estate brokers and
410 appraisers, and such executive and administrative personnel as
411 shall be reasonably necessary to carry out the duties and
412 authority authorized by this section, or by such local and private
413 act, with funds available for such purposes.

414 (8) The enumeration of any specific rights and powers
415 contained in this section where followed by general powers shall
416 not be construed in a restrictive sense, but rather in as broad
417 and comprehensive a sense as possible to effectuate the purposes
418 of this section.

419 **SECTION 5.** This act shall take effect and be in force from
420 and after July 1, 2019.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 1, CHAPTER 386, LAWS OF 2017, AS
2 AMENDED BY SECTION 3, CHAPTER 449, LAWS OF 2018, TO AUTHORIZE THE

3 MARION COUNTY ECONOMIC DEVELOPMENT DISTRICT TO TRANSFER AND CONVEY
4 WITHOUT COST CERTAIN REAL PROPERTY LOCATED AT COLUMBIA TRAINING
5 SCHOOL IN MARION COUNTY, MISSISSIPPI, TO THE BOARD OF SUPERVISORS
6 OF MARION COUNTY FOR THE PURPOSE OF LAW ENFORCEMENT TRAINING; TO
7 AUTHORIZE CERTAIN EXEMPTIONS REGARDING THE PURPOSES FOR WHICH THE
8 PROPERTY TRANSFERRED AND CONVEYED MAY BE USED; TO AUTHORIZE THE
9 DEPARTMENT OF FINANCE AND ADMINISTRATION TO TRANSFER AND CONVEY
10 CERTAIN REAL PROPERTY LOCATED AT COLUMBIA TRAINING SCHOOL IN
11 MARION COUNTY, MISSISSIPPI, TO THE MARION COUNTY ECONOMIC
12 DEVELOPMENT DISTRICT FOR THE PURPOSE OF PROVIDING UNOBSTRUCTED
13 ACCESS FOR THE INDUSTRIAL DEVELOPMENT OF THE MARION COUNTY
14 AIRPLEX; TO AMEND SECTION 43-27-39, MISSISSIPPI CODE OF 1972, TO
15 CONFORM; TO BRING FORWARD SECTION 19-5-99, MISSISSIPPI CODE OF
16 1972, WHICH PROVIDES FOR THE ESTABLISHMENT OF ECONOMIC DEVELOPMENT
17 DISTRICTS; AND FOR RELATED PURPOSES.

SS26\HB1533PS.J

Liz Welch
Secretary of the Senate