

By: Senator(s) Doty, Jackson (11th)

To: Energy

SENATE BILL NO. 2674  
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 41-26-101, MISSISSIPPI CODE OF 1972,  
2 TO REQUIRE CONTINUING EDUCATION FOR COMMUNITY PUBLIC WATER SYSTEM  
3 BOARD MEMBERS; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 41-26-101, Mississippi Code of 1972, is  
6 amended as follows:

7 41-26-101. (1) Each member elected or reelected after June  
8 30, 1998, to serve on a governing board of any community public  
9 water system, except systems operated by municipalities with a  
10 population greater than ten thousand (10,000), shall attend a  
11 minimum of eight (8) hours of management training within two (2)  
12 years following the election of that board member. Any member  
13 failing to complete the management training within two (2) years  
14 after his election shall be subject to removal from the board by  
15 the remaining members. If a board member has undergone training  
16 and is reelected to the board, that board member shall not be  
17 required to attend training as provided by this subsection.



18           (2) The management training shall be organized by the State  
19 Department of Health, in cooperation with the Mississippi Rural  
20 Water Association and other organizations. The management  
21 training shall include information on water system management and  
22 financing, rate setting and structures, operations and  
23 maintenance, applicable laws and regulations, ethics, the duties  
24 and responsibilities of a board member and other information  
25 deemed necessary by the department after consultation with the  
26 association and other organizations. The department shall develop  
27 and provide all training materials. \* \* \* The association and  
28 other training organizations may charge a fee in the amount of  
29 Seventy-five Dollars (\$75.00) per member plus the cost of the  
30 manual and materials. These costs shall be reimbursed to the  
31 board member as an expense of the community public water system.

32           (3) Two (2) officers of each board shall also obtain an  
33 additional four (4) hours of updated and advanced training within  
34 a four-year period. The term "officers" shall include the legally  
35 responsible official of the community public water system and the  
36 mayor, mayor pro tem, the president, and the vice president of the  
37 board. If one (1) of the officers is not able to attend the  
38 training, then he may appoint someone from among the existing  
39 board to attend in his place; however, the board member attending  
40 this training must have first completed the eight (8) hours of  
41 management training. This training will be held at a time and  
42 place that will accommodate those members who have other



43 responsibilities. The training shall consist of, but not be  
44 limited to, updated regulatory rules and regulations, an in-depth  
45 look at the Mississippi Nonprofit Corporation Act as well as any  
46 updated information that would aid them in making decisions for  
47 their utility system. The association and other training  
48 organizations may charge a fee in the amount of Twenty-five  
49 Dollars (\$25.00) per member plus the cost of the material needed  
50 for the training. These costs shall also be reimbursed to the  
51 board member as an expense of the community water system.

52 (3) To avoid board members having to interfere with their  
53 jobs or employment, management training sessions may be divided  
54 into segments and, to the greatest extent possible, shall be  
55 scheduled for evening sessions. The department shall conduct  
56 management training on a regional basis and shall use community  
57 college or other public facilities for the convenience of board  
58 members.

59 (4) The department may make exceptions to and grant  
60 exemptions and variances to the requirements of this section for  
61 good cause shown.

62 **SECTION 2.** This act shall take effect and be in force from  
63 and after July 1, 2020.

