

By: Senator(s) Harkins

To: Finance

SENATE BILL NO. 2872

1 AN ACT TO AMEND SECTION 67-1-16, MISSISSIPPI CODE OF 1972, TO
2 REMOVE THE REQUIREMENT THAT AN ELECTION BE HELD BEFORE A CERTAIN
3 AREA IN RANKIN COUNTY, AS DEFINED IN SECTION 67-1-5, MAY BE
4 DESIGNATED A QUALIFIED RESORT AREA; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 67-1-16, Mississippi Code of 1972, is
7 amended as follows:

8 67-1-16. (1) (a) Before an area may be designated by the
9 governing authorities of a municipality as an area in which
10 facilities which are defined as qualified resort areas in Section
11 67-1-5(o)(iii)5 may be located, an election shall be held, under
12 the election laws applicable to the municipality, on the question
13 of whether qualified resort areas shall be allowed in the
14 municipality. An election to determine whether qualified resort
15 areas shall be allowed in the municipality shall be ordered by the
16 municipal governing authorities, upon presentation to the
17 governing authorities of a petition containing the names of at
18 least twenty percent (20%) of the duly qualified voters of the
19 municipality asking for the election. An election on the question



20 may not be held by the municipality more often than once each
21 year.

22 (b) Thirty (30) days' notice shall be given to the
23 qualified electors of the municipality, in the manner prescribed
24 by law, on the question of allowing qualified resort areas to be
25 established. The notice shall contain a statement of the question
26 to be voted on at the election. The ballots used in the election
27 shall have the following words printed thereon: "FOR THE
28 ESTABLISHMENT OF QUALIFIED RESORT AREAS," and next below, "AGAINST
29 THE ESTABLISHMENT OF QUALIFIED RESORT AREAS." In marking his
30 ballot, the voter shall make a cross (X) opposite the words of his
31 choice.

32 (c) Qualified resort areas may be established if a
33 majority of the qualified electors voting in the election vote for
34 such establishment. A qualified resort area may not be
35 established if a majority of the qualified electors voting in the
36 election vote against such establishment.

37 (2) (a) Before a municipality may be designated as a
38 qualified resort area as defined in Section 67-1-5(o)(iii)6, an
39 election shall be held, under the election laws applicable to the
40 municipality, on the question of whether the municipality shall be
41 a qualified resort area. An election to determine whether the
42 municipality shall be a qualified resort area shall be ordered by
43 the municipal governing authorities, upon presentation to the
44 governing authorities of a petition containing the names of at



45 least twenty percent (20%) of the duly qualified voters of the
46 municipality asking for the election. An election on the question
47 may not be held by the municipality more often than once each
48 year.

49 (b) Thirty (30) days' notice shall be given to the
50 qualified electors of the municipality, in the manner prescribed
51 by law, on the question of allowing qualified resort areas to be
52 established. The notice shall contain a statement of the question
53 to be voted on at the election. The ballots used in the election
54 shall have the following words printed thereon: "FOR THE
55 ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below,
56 "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In
57 marking his ballot, the voter shall make a cross (X) opposite the
58 words of his choice.

59 (c) The municipality may be established as a qualified
60 resort area if a majority of the qualified electors voting in the
61 election vote for such establishment. A qualified resort area may
62 not be established if a majority of the qualified electors voting
63 in the election vote against such establishment.

64 (3) (a) Before an area may be designated a qualified resort
65 area as defined in Section 67-1-5(o)(iii)7, an election shall be
66 held in the municipality in which the area is located under the
67 election laws applicable to the municipality, on the question of
68 whether the area shall be a qualified resort area. An election to
69 determine whether the area shall be a qualified resort area shall



70 be ordered by the municipal governing authorities, upon
71 presentation to the governing authorities of a petition containing
72 the names of at least twenty percent (20%) of the duly qualified
73 voters of the municipality asking for the election. An election
74 on the question may not be held by the municipality more often
75 than once each year.

76 (b) Thirty (30) days' notice shall be given to the
77 qualified electors of the municipality, in the manner prescribed
78 by law, on the question of allowing qualified resort areas to be
79 established. The notice shall contain a statement of the question
80 to be voted on at the election. The ballots used in the election
81 shall have the following words printed thereon: "FOR THE
82 ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below,
83 "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In
84 marking his ballot, the voter shall make a cross (X) opposite the
85 words of his choice.

86 (c) The area may be established as a qualified resort
87 area if a majority of the qualified electors voting in the
88 election vote for such establishment. A qualified resort area may
89 not be established if a majority of the qualified electors voting
90 in the election vote against such establishment.

91 * * *

92 (* * *4) (a) Before a municipality may be designated as a
93 qualified resort area as defined in Section 67-1-5(o)(iii)21, an
94 election shall be held, under the election laws applicable to the



95 municipality, on the question of whether the municipality shall be
96 a qualified resort area. An election to determine whether the
97 municipality shall be a qualified resort area shall be ordered by
98 the municipal governing authorities. An election on the question
99 may not be held by the municipality more often than once each
100 year.

101 (b) Thirty (30) days' notice shall be given to the
102 qualified electors of the municipality, in the manner prescribed
103 by law, on the question of allowing qualified resort areas to be
104 established. The notice shall contain a statement of the question
105 to be voted on at the election. The ballots used in the election
106 shall have the following words printed thereon: "FOR THE
107 ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below,
108 "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In
109 marking his ballot, the voter shall make a cross (X) opposite the
110 words of his choice.

111 (c) The municipality may be established as a qualified
112 resort area if a majority of the qualified electors voting in the
113 election vote for such establishment. A qualified resort area may
114 not be established if a majority of the qualified electors voting
115 in the election vote against such establishment.

116 **SECTION 2.** This act shall take effect and be in force from
117 and after July 1, 2021.

