

By: Representatives Morgan, Weathersby

To: Public Property

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1343

1 AN ACT TO AMEND CHAPTER 386, LAWS OF 2017, AS AMENDED BY
2 SECTION 3, CHAPTER 449, LAWS OF 2018, AS LAST AMENDED BY SECTIONS
3 1 AND 2, CHAPTER 363, LAWS OF 2019, TO AUTHORIZE THE DEPARTMENT OF
4 FINANCE AND ADMINISTRATION TO TRANSFER AND CONVEY CERTAIN REAL
5 PROPERTY LOCATED AT COLUMBIA TRAINING SCHOOL IN MARION COUNTY,
6 MISSISSIPPI, TO THE MARION COUNTY ECONOMIC DEVELOPMENT DISTRICT;
7 TO AMEND SECTION 43-27-39, MISSISSIPPI CODE OF 1972, TO CONFORM;
8 TO BRING FORWARD SECTION 19-5-99, MISSISSIPPI CODE OF 1972, WHICH
9 PROVIDES FOR THE ESTABLISHMENT OF ECONOMIC DEVELOPMENT DISTRICTS;
10 AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** Chapter 386, Laws of 2017, as amended by Section
13 3, Chapter 449, Laws of 2018, as last amended by Sections 1 and 2,
14 Chapter 363, Laws of 2019, is amended as follows:

15 Section 3. (1) The Department of Finance and Administration
16 is authorized to transfer and convey to the Marion County Economic
17 Development District certain real property located at Columbia
18 Training School in Marion County, Mississippi. The real property
19 contains approximately 1,148.92 acres, more or less, and is more
20 particularly described as follows:

21 **Parcel 1 Description:**



22 Commencing at a found iron pin at the Northwest Corner
23 of Section 15, Township 4 North, Range 18 West, thence
24 South 88 degrees 44 minutes 13 seconds East a distance
25 of 1,320.20 feet to the NE corner of the NW $\frac{1}{4}$ of the of
26 the NW $\frac{1}{4}$ of Section 15, Township 4 North, Range 18 West
27 and the point beginning, thence South 88 degrees 44
28 minutes 13 seconds East a distance of 4,066.30 feet to
29 the NE corner of Section 15, Township 4 North, Range 18
30 West, thence South 00 degrees 05 minutes 56 seconds West
31 a distance of 242.83 feet along the East line of Section
32 15, Township 4 North, Range 18 West, thence South 47
33 degrees 12 minutes 45 seconds West a distance of
34 4,789.95 feet along the north boundary of the
35 Columbia-Marion County Airport Authority property,
36 thence South 44 degrees 56 minutes 53 seconds West a
37 distance of 761.75 feet along the north boundary of the
38 Columbia-Marion County Airport Authority property to the
39 center of the SW $\frac{1}{4}$ of Section 15, Township 4 North,
40 Range 18 West, thence North 00 degrees 09 minutes 35
41 seconds East a distance of 4,125.33 feet to the NE
42 corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 15, Township 4
43 North, Range 18 West back to an iron pin and the point
44 of beginning, Said parcel containing 202.11 acres, more
45 or less.

46 **Parcel 2 Description:**



47 Commencing at a found pine stake at the Southeast Corner
48 of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 27, Township 4 North,
49 Range 18 West, thence North 00 degrees 05 minutes 56
50 seconds East a distance of 6,028.64 feet to a point on
51 the East line of Section 22, Township 4 North, Range 18
52 West to the point beginning, thence South 89 degrees 44
53 minutes 33 seconds West a distance of 4,068.43 feet to
54 the SE corner of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the of the NW $\frac{1}{4}$
55 of Section 22, Township 4 North, Range 18 West, thence
56 North 00 degrees 49 minutes 42 seconds East a distance
57 of 1,648.69 feet to the South boundary of
58 Columbia-Marion County Airport Authority Property,
59 thence North 62 degrees 00 minutes 33 seconds East a
60 distance of 181.98 feet along the South boundary of the
61 Columbia-Marion County Airport Authority Property,
62 thence North 62 degrees 00 minutes 33 seconds East a
63 distance of 1,448.60 feet along the South boundary of
64 the Columbia-Marion County Airport Authority Property,
65 thence North 59 degrees 44 minutes 40 seconds East a
66 distance of 3,023.35 feet along the South boundary of
67 the Columbia-Marion County Airport Authority Property to
68 a point on the East line of Section 15, Township 4
69 North, Range 18 West, thence South 00 degrees 05 minutes
70 56 seconds West a distance of 3,918.86 feet to a point
71 on the east line of Section 22, Township 4 North, Range



72 18 West back to the point of beginning, Said parcel
73 containing 256.81 acres, more or less.

74 **Parcel 3 Description:**

75 Beginning at a found pine stake at the Southeast Corner
76 of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 27, Township 4 North,
77 Range 18 West, thence North 89 degrees 42 minutes 39
78 seconds West a distance of 1,323.60 feet to the NW
79 corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27, Township 4
80 North, Range 18 West, thence South 00 degrees 23 minutes
81 21 seconds West a distance of 1,320.0 feet to the SW
82 corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 27, Township 4
83 North, Range 18 West, thence South 89 degrees 42 minutes
84 39 seconds East a distance of 662.10 feet to the NE
85 corner of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 27,
86 Township 4 North, Range 18 West, thence South 00 degrees
87 23 minutes 21 seconds West a distance of 1,320.0 feet to
88 the SE corner of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of
89 Section 27, Township 4 North, Range 18 West, thence
90 South 89 degrees 42 minutes 37 seconds East a distance
91 of 662.50 feet to the SE corner of Section 27, Township
92 4 North, Range 18 West, thence South 00 degrees 23
93 minutes 21 seconds West a distance of 114.57 feet to a
94 point on the north right of way line of Old Highway 44,
95 thence South 84 degrees 05 minutes 37 seconds West a
96 distance of 2,278.91 feet along said north right of way,



97 thence South 82 degrees 30 minutes 32 seconds West a
98 distance of 1,164.47 feet along said north right of way,
99 thence South 73 degrees 56 minutes 48 seconds West a
100 distance of 1,400.42 feet along said north right of way,
101 thence South 64 degrees 06 minutes 42 seconds West a
102 distance of 277.68 feet along said north right of way,
103 thence South 38 degrees 11 minutes 49 seconds West a
104 distance of 240.36 feet along said north right of way,
105 thence South 38 degrees 11 minutes 49 seconds West a
106 distance of 69.88 feet along said north right of way to
107 the north line of the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 34,
108 Township 4 North, Range 18 West, thence South 89 degrees
109 45 minutes 36 seconds West a distance of 127.05 feet to
110 the NW corner of the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 34,
111 Township 4 North, Range 18 West, thence North 00 degrees
112 04 minutes 10 seconds West a distance of 3,929.52 feet
113 to the NW corner of the SW $\frac{1}{4}$ of Section 27, Township 4
114 North, Range 18 West, thence North 89 degrees 49 minutes
115 47 seconds West a distance of 1,294.10 feet to the NE
116 corner NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 28, Township 4 North,
117 Range 18 West, thence North 00 degrees 16 minutes 38
118 seconds West a distance of 2,649.20 feet to the NE
119 corner of the W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 28, Township 4
120 North, Range 18 West. thence East a distance of 265.82
121 feet to the west right of way line of Airport Road,



122 thence along said west right of way line as follows:
123 thence South 42 degrees 05 minutes 14 seconds East a
124 distance of 107.03 feet, thence South 27 degrees 31
125 minutes 10 seconds East a distance of 185.56 feet,
126 thence South 21 degrees 40 minutes 56 seconds East a
127 distance of 1,482.37 feet, thence North 43 degrees 56
128 minutes 03 seconds East a distance of 497.83 feet
129 crossing Airport Road and running along the south
130 boundary of Marion County Economic Development District
131 property, thence continuing along said south boundary
132 North 43 degrees 58 minutes 36 seconds East a distance
133 of 1,761.55 feet to the north line of Section 27
134 Township 4 North, Range 18 West. thence run East a
135 distance of 4,097.68 feet to the NE corner of Section
136 27, Township 4 North, Range 18 East, thence South 00
137 degrees 05 minutes 56 seconds West a distance of
138 2,684.70 feet along the east line of Section 27,
139 Township 4 North, Range 18 West back to the point of
140 beginning said parcel containing 690.0 acres, more or
141 less.

142 (2) The State of Mississippi shall retain any mineral rights
143 to the property transferred and conveyed under subsection (1) of
144 this section. The Department of Finance and Administration shall
145 have the authority to correct any discrepancies in the property
146 descriptions provided in subsection (1) of this section.



147 (3) The parcels of property conveyed under this section must
148 be conveyed to the Marion County Economic Development District
149 without any assumption of liability or financial responsibility by
150 the State of Mississippi for any known or unknown environmental
151 defects contained thereon. Upon receipt of the deed of title to
152 the property, the Marion County Economic Development District
153 shall indemnify the State of Mississippi for any damage, injury or
154 loss.

155 **SECTION 2.** Section 43-27-39, Mississippi Code of 1972, is
156 amended as follows:

157 43-27-39. (1) The purpose of this section is to ensure that
158 Mississippi's juvenile justice system is cost-efficient and
159 effective at reducing juvenile crime and to create a continuum of
160 options for Mississippi's youth court judges so that they are
161 better equipped to protect our communities and to care for our
162 children.

163 (2) The Columbia Training School shall no longer operate as
164 a secure training school for juvenile delinquents. All youth,
165 both male and female, committed to the custody of the Department
166 of Human Services and adjudicated to training school shall be
167 housed at the Oakley Youth Development Center. The Oakley Youth
168 Development Center shall provide gender-specific treatment for
169 youth who are adjudicated delinquent.

170 (3) Any portion of Columbia Training School property and
171 facilities described in Section 1 of Chapter 553, Laws of 2012,



172 may be conveyed or transferred to the Board of Supervisors of
173 Marion County, Mississippi.

174 (4) Any portion of Columbia Training School property and
175 facilities described in Section 2 of Chapter 386, Laws of 2017,
176 may be conveyed or transferred to the Marion County Economic
177 Development District for the purposes prescribed under that
178 section.

179 (5) Any portion of Columbia Training School property and
180 facilities described in Section 1 of this act may be conveyed or
181 transferred to the Marion County Economic Development District.

182 **SECTION 3.** Section 19-5-99, Mississippi Code of 1972, is
183 brought forward as follows:

184 19-5-99. (1) Subject to the provisions of Section 19-9-111,
185 the board of supervisors of any county in the State of
186 Mississippi, in its discretion, by order duly entered on its
187 minutes, may establish economic development districts comprising
188 all of the county, or one or more supervisors districts of the
189 county, or may establish such economic development districts in
190 cooperation with one or more other counties or with municipalities
191 or with other local and private economic development groups. The
192 board of supervisors may do everything within its power to secure
193 and further industrial development of the county or counties or
194 district, to advertise the natural resources and possibilities of
195 the same, and to maintain and support the same.



196 All monies collected for the support and maintenance of such
197 economic development district, in accordance with the tax levy
198 provided in Section 19-9-111, shall be placed in the county
199 treasury to the credit of the county or district economic
200 development fund and shall be expended as other public funds are
201 expended, and in which event the employees of such economic
202 development district shall be employees of the county and
203 considered as such. In addition to such funds provided by
204 taxation, the board of supervisors of such county may accept
205 gifts, gratuities and donations from municipalities in such
206 districts and from any persons, firms or corporations desiring to
207 make such donations. Such appropriation, gift or donation shall
208 also be placed in the county treasury and be expended in the
209 support and maintenance of such district.

210 At the option of such board of supervisors, or boards of
211 supervisors if more than one (1) county is embraced in such
212 economic development district, it may provide for the management
213 of such economic development district by appointing not more than
214 twenty-five (25) nor less than five (5) trustees, or if a
215 multicounty district not more than five (5) trustees per
216 participating county, who shall be qualified electors residing
217 within such economic development district, to manage the affairs
218 of such district, and in which event the funds made available by
219 the county or counties for the support and maintenance of such
220 economic development district may be expended by a majority vote



221 of such trustees so appointed to manage such economic development
222 district. Each trustee who is an officer of the economic
223 development district shall qualify by giving bond, with sufficient
224 surety, to be payable, conditioned and approved as provided by
225 law, in a penalty equal to Fifty Thousand Dollars (\$50,000.00),
226 the premiums on all such surety bonds being paid by such economic
227 development district. If this option is exercised and such
228 districts operated and maintained under this paragraph, then in
229 such event the employees of such economic development district
230 shall not be considered as employees of the county for state
231 retirement or any other purposes.

232 All funds secured and expended under the provisions of this
233 section shall be public funds and the Auditor of Public Accounts
234 of the State of Mississippi shall audit the same as other public
235 funds are now audited.

236 Notwithstanding any provision of this section to the
237 contrary, the board of supervisors of a county having therein an
238 economic development district established under this section or
239 any other law and the governing authorities of any municipality
240 located within the economic development district in such county
241 may enter into a contract providing for the contribution of funds
242 by the municipality or other local and private economic
243 development groups to the economic development district and
244 providing for the appointment by the municipal governing
245 authorities or other local and private economic development groups



246 of a number of trustees, as determined by the parties to the
247 contract, to assist in the management of the district. In like
248 manner, any economic or industrial development foundation or
249 private economic development group may enter into a contract with
250 the board of supervisors of the county or jointly with the board
251 of supervisors of the county and municipal governing authorities
252 providing for the contribution of funds by the economic or
253 industrial development foundation or private economic development
254 group to the economic development district and providing for the
255 appointment by the officials or governing board of the foundation
256 of a number of trustees, as determined by the parties to the
257 contract, to assist in the management of the district.

258 (2) Any economic development district established under this
259 section may, when suitable office space is not otherwise
260 available, purchase and acquire title to real estate within the
261 district and make any improvements thereon to provide the office
262 space it considers necessary for efficient operation of such
263 district. Provided, however, that no contract or agreement for
264 the exclusive listing, sale or representation for sale of publicly
265 owned property shall be entered into by such economic development
266 districts with any real estate broker or brokers.

267 (3) (a) Any economic development district established under
268 this section shall have the authority to acquire by gift, purchase
269 or otherwise, and to own, hold, maintain, control and develop real
270 estate situated within the county or counties comprising such



271 district for the development, use and operation of industrial
272 parks or other industrial development purposes. The district is
273 further authorized and empowered to engage in works of internal
274 improvement therefor including, but not limited to, construction
275 or contracting for the construction of streets, roads, railroads,
276 spur tracks, site improvements, water, sewerage, drainage,
277 pollution control and other related facilities necessary or
278 required for industrial development purposes or the development of
279 industrial park complexes; to acquire, purchase, install, lease,
280 construct, own, hold, equip, control, maintain, use, operate and
281 repair other structures and facilities necessary and convenient
282 for the planning, development, use, operation and maintenance of
283 an industrial park or parks or for other industrial development
284 purposes, including, but not limited to, utility installations,
285 elevators, compressors, warehouses, buildings and air, rail and
286 other transportation terminals and pollution control facilities.

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

291 (4) For the development of such projects, the board of
292 supervisors of any county that establishes an economic development
293 district under this section or that establishes an economic
294 development district in cooperation with one or more other
295 counties, or municipalities or other local and private economic



296 groups, may, upon receipt of a resolution duly adopted by the
297 trustees of such district, issue, secure and manage its bonds in
298 the manner prescribed by Sections 19-9-5, 19-9-7, 19-9-9, 19-9-11,
299 19-9-13, 19-9-15, 19-9-17, 19-9-19, 19-9-21, 19-9-23, 19-9-25 and
300 19-9-29. Such bonds shall be sold in accordance with the
301 provisions of Section 31-19-25. The full faith, credit and
302 resources of the county shall be irrevocably pledged for the
303 payment of the principal of and interest on the bonds issued under
304 this section. Any income derived from the sale or lease of the
305 property authorized to be acquired under this section shall be
306 applied in one or more of the following manners: (a) the
307 retirement of bonds authorized to be issued under this section;
308 (b) further improvement or development of such industrial parks or
309 other related industrial development activities; or (c) payment
310 into the general fund of the county to be used for any lawful
311 purpose. Any amounts so paid into the general fund shall be
312 included in the computation of total receipts and subject to the
313 restrictions of Section 27-39-321. The board of supervisors may
314 covenant with or for the benefit of the registered owners of any
315 bonds issued under this section with respect to the application of
316 any or all of such income and shall, by resolution adopted before
317 or promptly after receipt of any such income, determine, in its
318 discretion subject only to the restrictions set forth above and
319 any covenants made to or for the benefit of any registered owners



320 of bonds issued under this section, the manner in which such
321 income shall be applied.

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

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

332 (a) To sell, lease, trade, exchange or otherwise
333 dispose of industrial sites or rail lines situated within
334 industrial parks to individuals, firms or corporations, public or
335 private, for industrial and warehouse use upon such terms and
336 conditions, and for such considerations, with such safeguards as
337 will best promote and protect the public interest, convenience and
338 necessity, and to execute deeds, leases, contracts, easements and
339 other legal instruments necessary or convenient therefor. Any
340 industrial lease may be executed by the district upon such terms
341 and conditions and for such monetary rental or other
342 considerations as may be found to be in the best interest of the
343 public, upon an order or resolution being spread upon the minutes
344 of the district authorizing same.



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

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

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

362 (6) Any county board of supervisors authorized to issue
363 bonds under this section is hereby authorized, either separately
364 or jointly with the governing authority of any municipality within
365 the county, to acquire, enlarge, expand, renovate or improve an
366 existing building or buildings located in the county or
367 municipality and to issue bonds for such purpose in the manner
368 provided by this section.



369 (7) Economic development districts established under the
370 provisions of a local and private act enacted before July 1, 1997,
371 are authorized and empowered to employ engineers, attorneys,
372 accountants, consultants, licensed real estate brokers and
373 appraisers, and such executive and administrative personnel as
374 shall be reasonably necessary to carry out the duties and
375 authority authorized by this section, or by such local and private
376 act, with funds available for such purposes.

377 (8) The enumeration of any specific rights and powers
378 contained in this section where followed by general powers shall
379 not be construed in a restrictive sense, but rather in as broad
380 and comprehensive a sense as possible to effectuate the purposes
381 of this section.

382 **SECTION 4.** This act shall take effect and be in force from
383 and after its passage.

