

By: Senator(s) Tate, McCaughn, Hickman,
Jackson (11th)

To: Tourism; Appropriations

SENATE BILL NO. 2874

1 AN ACT TO AMEND SECTION 39-25-1, MISSISSIPPI CODE OF 1972, TO
2 MAKE DISCRETIONARY, RATHER THAN MANDATORY, THAT THE LEASE OR
3 CONTRACT FOR THE OPERATION OF THE MISSISSIPPI ARTS AND
4 ENTERTAINMENT CENTER REQUIRE A NONPROFIT CORPORATION TO PAY
5 UTILITY COSTS; AND FOR RELATED PURPOSES;

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

7 **SECTION 1.** Section 39-25-1, Mississippi Code of 1972, is
8 amended as follows:

9 39-25-1. (1) There is established the Mississippi Arts and
10 Entertainment Center ("center") to be housed in a state-owned
11 facility or facilities located within the corporate limits of
12 Meridian, Mississippi. The purpose of the center shall be to
13 provide an educational, entertaining and interactive facility to
14 capture the essence of Mississippi's legacy in the arts and
15 celebrate the richness and depth of that legacy and the
16 Mississippians who created it with the world; and to provide
17 family-oriented attractions in the delivery of an educational
18 experience to citizens of, and visitors to, Mississippi.



19 (2) The center shall be a state-of-the-art facility which
20 may include, but not be limited to, MAEC exhibits, a
21 state-sanctioned Mississippi Arts and Entertainment Hall of Fame
22 inducting icons in all genres of arts and entertainment, Walk of
23 Fame, auditorium, outdoor performance plaza, and
24 broadcast/recording facility. The center will provide a vast
25 educational resource for individuals and educators offering
26 unparalleled insight into the lives and stories of Mississippi
27 arts and entertainment treasures through seminars, workshops and
28 demonstrations by guest professionals and/or amateur artists. The
29 center may promote, advertise and market its efforts under the
30 name of the center itself, as "the Mississippi Arts and
31 Entertainment Experience," or in such other manner as calculated
32 to best further the goals and objectives of the center.

33 (3) The duties and objectives of the center shall be:

34 (a) To stimulate and encourage throughout the state the
35 study and presentation of the performing, visual, and literary
36 arts and public interest and participation therein;

37 (b) To encourage participation in, appreciation of, and
38 education in the arts to meet the legitimate needs and aspirations
39 of persons in all parts of the state;

40 (c) To take such steps as may be necessary and
41 appropriate to encourage public interest in the cultural heritage
42 of Mississippi and the south to expand the state's cultural



43 resources, and to promote the use of art in state government's
44 activities and facilities; and

45 (d) To encourage excellence and assist freedom of
46 artistic expression essential for the well-being of the arts.

47 (4) The Department of Finance and Administration shall have
48 the authority to lease or contract with, for a period not to
49 exceed fifty (50) years, a nonprofit corporation whose primary
50 purpose for incorporation is the support, improvement,
51 administration and operation of the center as provided for in
52 subsections (1) and (2) of this section. The Department of
53 Finance and Administration may establish the terms of the
54 agreement. The benefit to Mississippi from the operation of this
55 lease or contractual agreement shall be considered a sufficient
56 consideration. The lease or contract * * * may require the
57 nonprofit corporation to pay for any and all utility costs
58 incurred by the center * * *. The construction of the center
59 shall not be subject to the energy performance requirements for
60 major facility projects contained in Section 31-11-35. The
61 nonprofit corporation is authorized to hold public hearings, to
62 enter into contracts within the limit of funds available therefor,
63 with individuals, organizations and institutions for services
64 furthering the objectives of the center's programs; to enter into
65 contracts, within the limit of funds available therefor, with
66 local and regional associations for cooperative endeavors
67 furthering the objectives of the center's programs; to make and



68 sign any agreements and to do and perform any acts that may be
69 necessary to carry out the purposes of this section.

70 (5) The Department of Finance and Administration may enter
71 into any agreement with a nonprofit corporation necessary for the
72 construction, operation and administration of the center and may
73 establish the terms of the agreement. For the construction,
74 operation and administration of the center, such nonprofit
75 corporation may receive and expend any funds made available in any
76 manner by public or private sources and may receive contributions
77 and donations of land or other property and other forms of
78 financial assistance and property, equipment, materials or
79 manpower from persons, foundations, trust funds, corporations,
80 organizations, and other public or private sources to be expended
81 and used in carrying out the mission of the center. Any real
82 property purchased or received by donation for the center shall be
83 titled in the name of the State of Mississippi for the benefit and
84 use of the Department of Finance and Administration.

85 (6) For any lease or contractual arrangement to which the
86 Department of Finance and Administration and a nonprofit
87 corporation are a party to as provided in subsection (5), the
88 nonprofit corporation shall, along with the possessory and
89 leasehold interests and/or real and personal property of the
90 corporation, be exempt from all ad valorem taxation, including,
91 but not limited to, school, city and county ad valorem taxes, for



92 the term or period of time stated in the lease or contractual
93 arrangement.

94 **SECTION 2.** This act shall take effect and be in force from
95 and after its passage.

