

Senate Amendments to House Bill No. 1343

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:

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 (4) Upon sale or conveyance of the parcels of property
156 conveyed hereunder, the Marion County Economic Development
157 District shall first be reimbursed for out-of-pocket expenses for

158 development of the parcels of property for water, sewer, roads,
159 bridges, and electrical, and any remaining funds from the sale or
160 conveyance shall be divided equally between the Marion County
161 Economic Development District and the state.

162 (5) The parcels of property conveyed hereunder shall be sold
163 for not less than the fair market value as determined by the
164 average of at least two (2) appraisals by qualified appraisers,
165 one (1) of which shall be selected by the Department of Finance
166 and Administration and both of whom shall be certified and
167 licensed by the Mississippi Real Estate Appraiser Licensing and
168 Certification Board.

169 (6) The Columbia-Marion County Airport Authority and the
170 Marion County Economic Development District shall provide the
171 Mississippi Department of Human Services six (6) months to harvest
172 and sell any timber located on the property transferred using a
173 company of the department's preference prior to any improvement or
174 development being made on the property by such entities, the
175 revenue generated from which shall be deposited into the State
176 Treasury and earmarked for use by the Department of Human Services
177 for all administrative and program purposes deemed necessary by
178 the executive director. The State of Mississippi shall retain
179 timber rights to any nonharvested timber remaining on the property
180 described in subsections (1) and (2) of this section. The revenue
181 generated from the harvest and sale of the remaining timber shall
182 be deposited into the State Treasury.

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

185 43-27-39. (1) The purpose of this section is to ensure that
186 Mississippi's juvenile justice system is cost-efficient and
187 effective at reducing juvenile crime and to create a continuum of
188 options for Mississippi's youth court judges so that they are
189 better equipped to protect our communities and to care for our
190 children.

191 (2) The Columbia Training School shall no longer operate as
192 a secure training school for juvenile delinquents. All youth,
193 both male and female, committed to the custody of the Department
194 of Human Services and adjudicated to training school shall be
195 housed at the Oakley Youth Development Center. The Oakley Youth
196 Development Center shall provide gender-specific treatment for
197 youth who are adjudicated delinquent.

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

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

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

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

212 19-5-99. (1) Subject to the provisions of Section 19-9-111,
213 the board of supervisors of any county in the State of
214 Mississippi, in its discretion, by order duly entered on its
215 minutes, may establish economic development districts comprising
216 all of the county, or one or more supervisors districts of the
217 county, or may establish such economic development districts in
218 cooperation with one or more other counties or with municipalities
219 or with other local and private economic development groups. The
220 board of supervisors may do everything within its power to secure
221 and further industrial development of the county or counties or
222 district, to advertise the natural resources and possibilities of
223 the same, and to maintain and support the same.

224 All monies collected for the support and maintenance of such
225 economic development district, in accordance with the tax levy
226 provided in Section 19-9-111, shall be placed in the county
227 treasury to the credit of the county or district economic
228 development fund and shall be expended as other public funds are
229 expended, and in which event the employees of such economic
230 development district shall be employees of the county and
231 considered as such. In addition to such funds provided by
232 taxation, the board of supervisors of such county may accept

233 gifts, gratuities and donations from municipalities in such
234 districts and from any persons, firms or corporations desiring to
235 make such donations. Such appropriation, gift or donation shall
236 also be placed in the county treasury and be expended in the
237 support and maintenance of such district.

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

258 shall not be considered as employees of the county for state
259 retirement or any other purposes.

260 All funds secured and expended under the provisions of this
261 section shall be public funds and the Auditor of Public Accounts
262 of the State of Mississippi shall audit the same as other public
263 funds are now audited.

264 Notwithstanding any provision of this section to the
265 contrary, the board of supervisors of a county having therein an
266 economic development district established under this section or
267 any other law and the governing authorities of any municipality
268 located within the economic development district in such county
269 may enter into a contract providing for the contribution of funds
270 by the municipality or other local and private economic
271 development groups to the economic development district and
272 providing for the appointment by the municipal governing
273 authorities or other local and private economic development groups
274 of a number of trustees, as determined by the parties to the
275 contract, to assist in the management of the district. In like
276 manner, any economic or industrial development foundation or
277 private economic development group may enter into a contract with
278 the board of supervisors of the county or jointly with the board
279 of supervisors of the county and municipal governing authorities
280 providing for the contribution of funds by the economic or
281 industrial development foundation or private economic development
282 group to the economic development district and providing for the
283 appointment by the officials or governing board of the foundation

284 of a number of trustees, as determined by the parties to the
285 contract, to assist in the management of the district.

286 (2) Any economic development district established under this
287 section may, when suitable office space is not otherwise
288 available, purchase and acquire title to real estate within the
289 district and make any improvements thereon to provide the office
290 space it considers necessary for efficient operation of such
291 district. Provided, however, that no contract or agreement for
292 the exclusive listing, sale or representation for sale of publicly
293 owned property shall be entered into by such economic development
294 districts with any real estate broker or brokers.

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

310 for the planning, development, use, operation and maintenance of
311 an industrial park or parks or for other industrial development
312 purposes, including, but not limited to, utility installations,
313 elevators, compressors, warehouses, buildings and air, rail and
314 other transportation terminals and pollution control facilities.

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

319 (4) For the development of such projects, the board of
320 supervisors of any county that establishes an economic development
321 district under this section or that establishes an economic
322 development district in cooperation with one or more other
323 counties, or municipalities or other local and private economic
324 groups, may, upon receipt of a resolution duly adopted by the
325 trustees of such district, issue, secure and manage its bonds in
326 the manner prescribed by Sections 19-9-5, 19-9-7, 19-9-9, 19-9-11,
327 19-9-13, 19-9-15, 19-9-17, 19-9-19, 19-9-21, 19-9-23, 19-9-25 and
328 19-9-29. Such bonds shall be sold in accordance with the
329 provisions of Section 31-19-25. The full faith, credit and
330 resources of the county shall be irrevocably pledged for the
331 payment of the principal of and interest on the bonds issued under
332 this section. Any income derived from the sale or lease of the
333 property authorized to be acquired under this section shall be
334 applied in one or more of the following manners: (a) the
335 retirement of bonds authorized to be issued under this section;

336 (b) further improvement or development of such industrial parks or
337 other related industrial development activities; or (c) payment
338 into the general fund of the county to be used for any lawful
339 purpose. Any amounts so paid into the general fund shall be
340 included in the computation of total receipts and subject to the
341 restrictions of Section 27-39-321. The board of supervisors may
342 covenant with or for the benefit of the registered owners of any
343 bonds issued under this section with respect to the application of
344 any or all of such income and shall, by resolution adopted before
345 or promptly after receipt of any such income, determine, in its
346 discretion subject only to the restrictions set forth above and
347 any covenants made to or for the benefit of any registered owners
348 of bonds issued under this section, the manner in which such
349 income shall be applied.

350 The bonds authorized by this section and the income therefrom
351 shall be exempt from all taxation in the State of Mississippi;
352 however, any lessee or purchaser shall not be exempt from ad
353 valorem taxes on industrial sites and improvements thereon unless
354 otherwise provided by the general laws of this state, and
355 purchases required to establish the project and financed by bond
356 proceeds shall not be exempt from taxation in the State of
357 Mississippi.

358 (5) Economic development districts established under this
359 section are authorized and empowered:

360 (a) To sell, lease, trade, exchange or otherwise
361 dispose of industrial sites or rail lines situated within

362 industrial parks to individuals, firms or corporations, public or
363 private, for industrial and warehouse use upon such terms and
364 conditions, and for such considerations, with such safeguards as
365 will best promote and protect the public interest, convenience and
366 necessity, and to execute deeds, leases, contracts, easements and
367 other legal instruments necessary or convenient therefor. Any
368 industrial lease may be executed by the district upon such terms
369 and conditions and for such monetary rental or other
370 considerations as may be found to be in the best interest of the
371 public, upon an order or resolution being spread upon the minutes
372 of the district authorizing same.

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

374 (c) To fix and prescribe fees, charges and rates for
375 the use of any water, sewerage, pollution control or other
376 facilities constructed and operated in connection with an
377 industrial park or parks and to collect same from persons, firms
378 and corporations using the same for industrial, warehouse and
379 related purposes and are further empowered to deny or terminate
380 such services for nonpayment of said fees, charges or rates by the
381 users of said services.

382 (d) To employ engineers, attorneys, accountants,
383 consultants, licensed real estate brokers and appraisers, and such
384 executive and administrative personnel as shall be reasonably
385 necessary to carry out the duties and authority authorized by this
386 section with funds available for such purposes. Such districts
387 may also contribute money directly to the development and cost of

388 operation of any industrial development foundation or other
389 private economic development group in the county.

390 (6) Any county board of supervisors authorized to issue
391 bonds under this section is hereby authorized, either separately
392 or jointly with the governing authority of any municipality within
393 the county, to acquire, enlarge, expand, renovate or improve an
394 existing building or buildings located in the county or
395 municipality and to issue bonds for such purpose in the manner
396 provided by this section.

397 (7) Economic development districts established under the
398 provisions of a local and private act enacted before July 1, 1997,
399 are authorized and empowered to employ engineers, attorneys,
400 accountants, consultants, licensed real estate brokers and
401 appraisers, and such executive and administrative personnel as
402 shall be reasonably necessary to carry out the duties and
403 authority authorized by this section, or by such local and private
404 act, with funds available for such purposes.

405 (8) The enumeration of any specific rights and powers
406 contained in this section where followed by general powers shall
407 not be construed in a restrictive sense, but rather in as broad
408 and comprehensive a sense as possible to effectuate the purposes
409 of this section.

410 **SECTION 4.** This act shall take effect and be in force from
411 and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

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.

SS26\HB1343PS.J

Eugene S. Clarke
Secretary of the Senate