

By: Representatives Lamar, Faulkner,
Anderson (110th), Anthony

To: County Affairs

HOUSE BILL NO. 1194
(As Passed the House)

1 AN ACT TO AMEND SECTION 19-5-93, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY TO DONATE FUNDS
3 TO ANY DESIGNATED COMMUNITY OF THE MISSISSIPPI MAIN STREET
4 ASSOCIATION AS WELL AS TO ANY CIVIL RIGHTS MEMORIALS, SITES AND
5 DESTINATIONS WITHIN A COUNTY; TO ESTABLISH THE 2023 SUPPLEMENTARY
6 RURAL FIRE TRUCK ACQUISITION ASSISTANCE PROGRAM; AND FOR RELATED
7 PURPOSES.

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

9 **SECTION 1.** Section 19-5-93, Mississippi Code of 1972, is
10 amended as follows:

11 19-5-93. The board of supervisors of each county is
12 authorized, in its discretion, to donate money for the objects and
13 purposes following, to wit:

14 (a) **Confederate graves.** For the location, marking,
15 care and maintenance of the grave or graves and graveyard of
16 Confederate soldiers or sailors who died in the Confederate
17 service, and the purchase, if necessary, of the land on which any
18 of the said graveyards may be situated, and the erection and
19 maintenance of appropriate monuments and appropriate inscriptions
20 thereon. In the exercise of this power the board is fully



21 authorized to accept donations of land on which any of said
22 graveyards may be situated and also money or funds to be used for
23 any of the purposes in this section expressed.

24 Any board of supervisors may, in its discretion, contribute
25 money to be used for the upkeep of graves of the Confederate dead
26 in its county.

27 (b) **Care of the aged.** For the support and maintenance
28 of such residents of the county who are worthy, indigent aged
29 inmates of the Old Ladies' Home of Jackson, Mississippi, or of the
30 Golden Age Nursing Home and Hospital for North Mississippi of
31 Greenwood, Mississippi, and not exceeding Five Hundred Dollars
32 (\$500.00) per annum for the support of the county's inmates of the
33 Old Men's Home, located near Jackson, Mississippi, and in addition
34 thereto a sum not exceeding Two Hundred Dollars (\$200.00) per
35 annum to each of said institutions for their support and
36 maintenance in the care of the aged.

37 (c) **King's Daughters.** To the King's Daughters in their
38 respective counties for charities under their supervision.

39 (d) **Travelers Aid Society.** A sum of money not
40 exceeding Fifteen Dollars (\$15.00) per month for the support of
41 the organization known as the Travelers Aid Society, provided the
42 same is nonsectarian.

43 (e) **Hospitals for pellagra sufferers.** For the
44 establishment and maintenance of a hospital for the treatment of
45 persons afflicted with pellagra. For this purpose the board may



46 issue bonds and incur such indebtedness within the limits now
47 authorized by law.

48 (f) **Tubercular hospitals.** For the establishment and
49 maintenance of a hospital for the care and treatment of persons
50 suffering from tuberculosis. In the execution of this power the
51 board may select trustees to establish and operate said hospital.
52 In counties having a population of more than forty thousand
53 (40,000) people, as shown by the latest United States census, the
54 board may set aside, appropriate and expend monies from the
55 general fund for the purpose of aiding in the maintenance and
56 support of hospitals maintained and operated in such county for
57 the care and treatment of persons suffering from tuberculosis.
58 The monies shall be expended by the board through such trustees,
59 not less than three (3) and not more than five (5), to be elected
60 by the board of supervisors annually. The trustees shall file
61 reports with the board at least once every six (6) months showing
62 in detail all expenditures made by them and the number of patients
63 which have been for the preceding period aided or cared for by the
64 institution, and the board may otherwise require a strict
65 accounting of the administration of said funds.

66 (g) **Same -- additional provisions.** The boards of
67 supervisors of one or more counties are hereby authorized and
68 empowered, in their discretion, separately or jointly, to acquire
69 by gift, purchase or lease, real estate, for tubercular hospital
70 purposes, and to own, erect, build, establish, maintain, regulate



71 and support a tubercular hospital and to remodel buildings on such
72 property to be used for such hospital purposes.

73 In the event the boards of supervisors of two (2) or more
74 counties agree to cooperate in establishing and maintaining such
75 hospital, the board of supervisors of each of said counties shall
76 adopt a resolution agreeing to the proportionate part each county
77 will contribute to the establishment and maintaining of such
78 hospital.

79 Each county operating under the provisions of this subsection
80 is hereby authorized and empowered to set aside, appropriate and
81 expend monies from the general fund for the purpose of erecting,
82 maintaining and operating such hospital.

83 (h) **Charity wards in hospitals.** A sum of money not
84 exceeding One Hundred Dollars (\$100.00) per month to maintain a
85 charity ward or wards in any hospital in their respective
86 counties, or in the event there shall be no hospital in such
87 county, then a like sum, in their discretion, to maintain a
88 charity ward or wards in any hospital in any adjoining county
89 receiving and treating patients from such county having no
90 hospital.

91 (i) **Same -- coast counties.** The several counties of
92 this state bordering on the tidewater of the Gulf of Mexico are
93 hereby authorized and empowered, in the discretion of the proper
94 authorities thereof, to appropriate such a sum of money as said
95 authorities shall deem reasonable, to provide and maintain a



96 charity ward or wards, in any of the hospitals in said counties,
97 or, in the discretion of said authorities, to make and enter into
98 contracts with any such hospitals for the treatment and care in
99 such hospitals of the indigent sick of said counties, and to pay
100 therefor out of the general fund of such counties such sum or sums
101 as shall be a reasonable and just compensation to said hospital.
102 However, the board of supervisors of any county mentioned herein
103 may, in its discretion, make and enter into contracts with any
104 hospital in any adjoining county receiving and treating patients
105 from the respective counties mentioned herein in such hospitals of
106 the indigent sick of said counties, mentioned herein, and to pay
107 therefor out of the general fund of such county, such sum or sums
108 that shall be reasonable and just to said hospitals.

109 (j) **Public libraries.** A sum not to exceed One Thousand
110 Dollars (\$1,000.00) per annum toward the support and maintenance
111 of one or more public libraries situated in the county. In any
112 county whose total assessed valuation, including railroads and all
113 public utilities, is more than Eighteen Million Dollars
114 (\$18,000,000.00) the board, in its discretion, may appropriate a
115 sum not to exceed Three Thousand Dollars (\$3,000.00) per annum for
116 public libraries.

117 The board may also give or donate any legislative journals,
118 constitutional convention journals, printed official reports of
119 any state or county officers, official reports of departments,
120 bureaus or officers of the United States, and copies of the acts



121 of the Legislature or laws of Mississippi now or hereafter in the
122 county library of such county and not needed, in the opinion of
123 the board in the county library (but not including any Mississippi
124 reports and not including any acts of the Legislature or laws of
125 the state, unless such acts or laws be more than twenty (20) years
126 old) to any library or library association or foundation or
127 organization maintaining a free public library for reference or
128 otherwise, provided such library, association, foundation or
129 organization owns free from encumbrance a fireproof library
130 building located in this state, in which building said journals,
131 reports, acts and laws may be and shall be deposited where
132 received under this subsection and made accessible under
133 reasonable regulations to the general public. Such library,
134 association, foundation or organization shall not have the right
135 to sell or otherwise dispose of said journals, reports, acts and
136 laws. Said journals, reports, acts and laws may be returned to
137 the county library from which received without expense to the
138 county, or to the state library, without expense to the state, at
139 any time by the library, association, foundation or organization
140 receiving the same.

141 Any gift or donation made by the board of supervisors of any
142 county under the authority of this subsection shall be evidenced
143 by an order spread upon the minutes of said board. The county
144 shall bear no expense in connection with any donation. The
145 sheriff of the county, or the custodian of the county library,



146 shall deliver to the representative of the library, association,
147 foundation or organization entitled to receive the same any of
148 said journals, reports, acts, laws and official publications in
149 accordance with the directions contained in any order of the board
150 of supervisors for the delivery of the same, and shall take proper
151 receipt from the party receiving the same, and shall deliver such
152 receipt to the clerk of the board of supervisors of the county,
153 and the board of supervisors shall have the said receipt entered
154 in full on the minutes of the board.

155 Any library, association, foundation or organization
156 receiving any gift or donation from any county under this
157 subsection shall report in writing to the board of supervisors,
158 from which such gifts or donations have been received every two
159 (2) years, that the gifts and donations so received are still in
160 the possession of the donee and are accessible to the general
161 public. If any of the gifts or donations so received have been
162 lost, destroyed or have otherwise disappeared, report thereof
163 shall be made.

164 If any library, association, foundation or organization
165 receiving gifts or donations under this subsection shall cease
166 operating as a free public library or shall cease to be the owner
167 of a fireproof building in which it keeps and maintains a free
168 public library, for reference or otherwise, the said library,
169 association, foundation or organization shall thereupon
170 immediately return to the county library, without expense to the



171 county, or to the state library, without expense to the state, any
172 gifts or donations it may have received under this subsection.

173 (k) **Patriotic organizations and memorials.** A sum not
174 to exceed Five Thousand Dollars (\$5,000.00) to build or aid any
175 post of the American Legion, any chapter of the Daughters of the
176 American Revolution, any chapter of the United Daughters of the
177 Confederacy, or any post, unit or chapter of any patriotic
178 organization within the county in building a memorial to the
179 veterans of World War I and World War II; and a sum not to exceed
180 Five Thousand Dollars (\$5,000.00) to aid in defraying the cost of
181 the erection of suitable memorials to deceased soldiers, sailors
182 and marines of the late world wars. Such appropriation may be
183 made, even though no provision has been made therefor in the
184 county budget.

185 (l) **American Red Cross.** Any board of supervisors of
186 any county in this state is hereby authorized and empowered, in
187 its discretion, to donate annually, out of any monies in its
188 respective treasury, to be drawn by warrant thereon, a sum not
189 exceeding One Hundred Dollars (\$100.00) per million of assessed
190 valuation to the support of a local chapter of the American Red
191 Cross.

192 (m) **St. Jude Hospital.** For the payment of mileage
193 expense for transporting persons to St. Jude Hospital in Memphis,
194 Tennessee, for treatment. The mileage shall be based on a



195 round-trip basis from the patient's place of residence to St. Jude
196 Hospital at the mileage rate set forth in Section 25-3-41.

197 (n) **Public museums.** For the support and maintenance of
198 such public museums located in the county constituted under the
199 provisions of Chapter 9, Title 39, Mississippi Code of 1972.

200 (o) **Domestic violence shelters.** The board of
201 supervisors of any county in this state is hereby authorized and
202 empowered, in its discretion, to donate annually out of any money
203 in the county treasury, such sums as the board deems advisable to
204 support any domestic violence shelter or rape crisis center
205 operating within or serving its area. For the purposes of this
206 section, "rape crisis center" means a place established to provide
207 care, counseling and related services to victims of rape,
208 attempted rape, sexual battery or attempted sexual battery.

209 (p) **Literacy programs.** The board of supervisors of any
210 county in this state is hereby authorized and empowered, in its
211 discretion, to donate out of the general fund of the county such
212 sum of money as the board deems reasonable to any literacy program
213 being conducted within the county.

214 (q) **Care of neglected children.** The board of
215 supervisors of any county in this state, in its discretion, may
216 donate annually out of any money in the county treasury such sums
217 as the board deems advisable to support any residential group home
218 for the abused, abandoned or neglected children which operates
219 within or serves the county. For the purposes of this paragraph



220 the term "residential group home" means a group residence
221 established to provide care and counseling, and to serve as a
222 home, for children who are the victims of abuse, neglect or
223 abandonment.

224 (r) **Boys and Girls Club.** To any chartered chapter of
225 the Boys and Girls Clubs of America located within the county, out
226 of any funds in the county treasury, provided that the cumulative
227 sum of donations to all chapters within the county does not exceed
228 the amount generated in the county by one-fourth (1/4) mill on all
229 of the taxable property within the county, during the fiscal year
230 in which the donations are made. Nothing in this paragraph
231 authorizes the imposition of additional tax.

232 (s) **Mississippi Burn Care Fund.** To the Mississippi
233 Burn Care Fund, subject to the limitations specified in Section
234 21-19-58.

235 (t) **Court Appointed Special Advocates.** To any chapter
236 of the Court Appointed Special Advocates (CASA), out of any funds
237 in the county treasury, provided that the cumulative sum of
238 donations to a chapter does not exceed the amount generated in the
239 county by one-fourth (1/4) mill on all of the taxable property
240 within the county, during the fiscal year in which the donations
241 are made. Nothing in this paragraph authorizes the imposition of
242 additional tax.

243 (u) **National Voluntary Organizations Active in Disaster**
244 **(NVOAD).** To a local chapter of NVOAD, whether in-kind



245 contributions or out of any funds in the county treasury, provided
246 that the cumulative sum of donations to a local NVOAD does not
247 exceed the amount generated in the county by one-fourth (1/4) mill
248 on all of the taxable property within the county during the fiscal
249 year in which the donations are made. Nothing in this paragraph
250 authorizes the imposition of additional tax.

251 (v) **Farmers' markets.** The board of supervisors of any
252 county in this state, in its discretion, may donate annually out
253 of any money in the county treasury, such sums as the board deems
254 advisable to support any farmers' market that is certified by the
255 Mississippi Department of Agriculture and Commerce and operating
256 within the county, not to exceed the amount that would be
257 generated from the levy of a one-fourth (1/4) mill ad valorem tax
258 upon all taxable property in the county.

259 (w) **Young Men's Christian Association (YMCA).** To any
260 chartered chapter of the YMCA located within the county, out of
261 any funds in the county treasury, provided that the cumulative sum
262 of donations to all chapters within the county does not exceed the
263 amount generated in the county by one-fourth (1/4) mill on all of
264 the taxable property within the county, during the fiscal year in
265 which the donations are made. Nothing in this paragraph
266 authorizes the imposition of additional tax.

267 (x) **Main Street programs.** To any designated community
268 of the Mississippi Main Street Association that is in good
269 standing and is located within the county, out of any funds in the



270 county treasury provided that the cumulative sum of donations to
271 all designated communities within the county does not exceed the
272 amount generated in the county by one-fourth (1/4) mill on all of
273 the taxable property within the county, during the fiscal year in
274 which the donations are made. Nothing in this paragraph
275 authorizes the imposition of additional tax.

276 (y) **Civil Rights memorials, sites and destinations.**

277 A sum not to exceed Five Thousand Dollars (\$5,000.00) to build or
278 aid in the building of or support of any civil rights memorial,
279 site or destination within the county to aid in defraying the cost
280 of the erection of suitable memorials of deceased civil rights
281 leaders as well as support of sites and destinations pertaining to
282 the Civil Rights Movement. Such appropriation may be made, even
283 though no provision has been made therefor in the county budget.

284 **SECTION 2.** (1) There is established the 2023 Supplementary
285 Rural Fire Truck Acquisition Assistance Program to be administered
286 by the Department of Insurance for the purpose of assisting
287 counties and municipalities in the acquisition of fire trucks.
288 The 2023 Supplementary Rural Fire Truck Acquisition Assistance
289 Program is in addition to the rural fire truck acquisition
290 assistance program established in Section 17-23-1 or any other
291 program by which counties and municipalities acquire fire trucks.

292 (2) There is created in the State Treasury a special fund to
293 be designated as the "2023 Supplementary Rural Fire Truck Fund"
294 which shall consist of funds appropriated or otherwise made



295 available by the Legislature in any manner, and funds from any
296 other source designated for deposit into such fund. Monies in the
297 fund shall be used for the purpose of assisting counties and
298 municipalities in the acquisition of fire trucks. Unexpended
299 amounts remaining in the fund at the end of the fiscal year shall
300 lapse into the State General Fund.

301 (3) (a) A county that meets the requirements provided
302 herein may receive an amount of not more than One Hundred Thousand
303 Dollars (\$100,000.00) per fire truck for the fiscal year beginning
304 July 1, 2023, and ending July 1, 2024. Monies distributed under
305 this section shall be expended only for the purchase of new fire
306 trucks and such trucks must meet the National Fire Protection
307 Association (NFPA) standards in the 1900 series.

308 (b) The board of supervisors of the county shall submit
309 its request for the receipt of monies to the Department of
310 Insurance. A committee composed of the Commissioner of Insurance,
311 the State Fire Coordinator, the Director of the Rating Bureau and
312 the Director of the State Fire Academy shall review the requests
313 by the boards of supervisors and shall determine whether the
314 county or municipality for which the board of supervisors has
315 requested a truck meets the requirements of eligibility under this
316 section.

317 (c) To be eligible to receive monies under this
318 section:



319 (i) A county or municipality must pledge to set
320 aside or dedicate each year as matching funds, for a period not to
321 extend over ten (10) years, local funds in an amount equal to or
322 not less than one-tenth (1/10) of the amount of monies for which
323 it is requesting distribution from the 2023 Supplementary Rural
324 Fire Truck Fund, which pledged monies may be derived from local ad
325 valorem tax authorized by law or from any other funds available to
326 the county or municipality, except for those funds received by
327 municipalities or counties from the Municipal Fire Protection Fund
328 or the County Volunteer Fire Department Fund, as defined in
329 Sections 83-1-37 and 83-1-39.

330 (ii) A municipality must provide adequate
331 documentation of its contract with the county that requires the
332 municipality to provide fire protection in rural areas. The term
333 "rural areas" means any area within the county located outside the
334 boundaries of an incorporated municipality or any incorporated
335 municipality with a population of two thousand five hundred
336 (2,500) or less.

337 (iii) A county or a municipality, designated by
338 the county, must have exhausted all rounds of applications for
339 fire trucks available to it under Section 17-23-1.

340 (d) The Department of Insurance shall maintain an
341 accurate record of all monies distributed to counties and
342 municipalities and the number of fire trucks purchased and the
343 cost for each fire truck, such records to be kept separate from



344 other records of the Department of Insurance; notify counties and
345 municipalities of the 2023 Supplementary Rural Fire Truck
346 Acquisition Assistance Program and the requirements for them to
347 become eligible to participate; adopt and promulgate such rules
348 and regulations as may be necessary and desirable to implement the
349 provisions of this section; and file with the Legislature a report
350 detailing how monies made available under this section were
351 distributed and spent in each county and municipality, the number
352 of fire trucks purchased, the counties and municipalities making
353 such purchases and the cost of each fire truck purchased.

354 **SECTION 3.** This act shall take effect and be in force from
355 and after July 1, 2023.

