

By: Representative Powell

To: Municipalities

HOUSE BILL NO. 841

1 AN ACT TO AMEND SECTION 21-13-3, MISSISSIPPI CODE OF 1972, TO
 2 REMOVE THE REQUIREMENT THAT BEFORE A MUNICIPAL ORDINANCE THAT
 3 GRANTS UTILITY FRANCHISES OR THE RIGHT TO USE CERTAIN STREETS,
 4 SUCH ORDINANCE MUST BE APPROVED BY A MAJORITY OF QUALIFIED
 5 ELECTORS IN THE MUNICIPALITY AND TO REMOVE THE REQUIREMENT THAT
 6 THE ORDINANCE BE READ, UNDER CERTAIN CIRCUMSTANCES, BY THE
 7 MUNICIPAL CLERK BEFORE THE ORDINANCE IS PASSED BY THE GOVERNING
 8 AUTHORITIES; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 21-13-3, Mississippi Code of 1972, is
 11 amended as follows:

12 21-13-3. (1) The governing authorities of any municipality
 13 may provide by ordinance, order or resolution for the
 14 appropriation of monies for the operation of the municipal
 15 government, which monies shall be paid as provided for in any such
 16 ordinance, order or resolution. However, any ordinance granting a
 17 franchise or any right to use or occupy the streets, highways,
 18 bridges or public places in the municipality for any purpose,
 19 except ordinances, resolutions or other actions for the immediate
 20 and temporary preservation of the public peace, health or safety,
 21 shall be introduced in writing at a regular meeting of the



22 governing body of such municipality and shall thereafter remain on
23 file with the municipal clerk for public inspection for at least
24 two (2) weeks before the final passage or adoption thereof. * * *

25 (2) The vote on final passage of all municipal ordinances
26 shall be taken by both "yeas" and "nays," which shall be entered
27 on the minutes by the clerk. A vote shall never be taken on any
28 ordinance not previously reduced to writing. Upon request of one
29 or more members of the municipal governing authorities, any
30 ordinance shall be read by the clerk before a vote is taken
31 thereon.

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

