

By: Representative Lamar

To: Universities and
Colleges

HOUSE BILL NO. 1163
(As Passed the House)

1 AN ACT TO AMEND SECTION 21-25-23, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE BOARDS OF TRUSTEES OF COMMUNITY AND JUNIOR
3 COLLEGE TO ENTER INTO CONTRACT WITH A MUNICIPALITY FOR THE
4 PROVISION OF FIRE PROTECTION SERVICES; TO AMEND SECTION 37-29-231,
5 MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARDS OF TRUSTEES OF
6 COMMUNITY AND JUNIOR COLLEGE, IN ITS DISCRETION, TO ENTER INTO AN
7 INTERLOCAL AGREEMENT WITH THE COUNTY GOVERNING AUTHORITY WHERE THE
8 COMMUNITY OR JUNIOR COLLEGE IS LOCATED, TO PROVIDE FIRE PROTECTION
9 AND FIRST RESPONDER SERVICES TO THE MAIN CAMPUS OF THE COMMUNITY
10 OR JUNIOR COLLEGE; TO PROVIDE THE BOARD OF TRUSTEES OF THE
11 COMMUNITY OR JUNIOR COLLEGE THE DISCRETION TO OFFSET THE COST OF
12 THE SERVICES BY ASSESSING A STUDENT FEE EACH SEMESTER; TO AMEND
13 SECTION 37-29-141, MISSISSIPPI CODE OF 1972, IN CONFORMITY
14 THERETO; AND FOR RELATED PURPOSES.

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

16 **SECTION 1.** Section 21-25-23, Mississippi Code of 1972, is
17 amended as follows:

18 21-25-23. The governing authorities of any municipality are
19 hereby authorized, when petitioned so to do by the Board of
20 Trustees of State Institutions of Higher Learning or the board of
21 trustees of a community or junior college district, to create, by
22 ordinance, a fire district encompassing the area adjoining such
23 municipality on which a part or all of a State Institution of
24 Higher Learning or a community college is located, after the



25 creation of which such governing authorities and the Board of
26 Trustees of State Institutions of Higher Learning or the board of
27 trustees of the affected community or junior college district
28 shall have full power to contract for laying of water mains and
29 any other pipes or connections to the water mains to be used in
30 said fire district, and for the establishment and maintenance of
31 fire service therein. However, no such governing authority shall
32 have the power either to promulgate or enforce any charge, rule or
33 regulation upon said district without first having received the
34 ratification and consent of the Board of Trustees of State
35 Institutions of Higher Learning or the board of trustees of the
36 affected community or junior college district as reflected by the
37 minutes of said trustees.

38 **SECTION 2.** Section 37-29-231, Mississippi Code of 1972, is
39 amended as follows:

40 37-29-231. (1) The provisions of Sections 37-103-1 through
41 37-103-29 relating to the legal residence of and tuition to be
42 charged any student applying for admission to state educational
43 institutions shall be applicable to the boards of trustees of each
44 junior college district in the state and to the administrative
45 authorities of each such junior college governed by said board.

46 (2) The board of trustees of each community or junior
47 college is authorized, in its discretion and as deemed necessary,
48 to enter into contract with a municipality as authorized under
49 Section 21-25-23, or into an interlocal agreement with the county



50 governing authority of the county wherein the community or junior
51 college is located if situated outside of the incorporated limits
52 of any city or municipality therein, to provide fire protection
53 and first responder services to the main campus of the community
54 or junior college for which the contract or interlocal agreement
55 was entered. In addition to fire protection services, first
56 responder services shall also include law enforcement services and
57 emergency medical transportation services.

58 **SECTION 3.** Section 37-29-141, Mississippi Code of 1972, is
59 amended as follows:

60 37-29-141. (1) The board of trustees of any junior college
61 district is expressly authorized and empowered to make a thorough
62 study and evaluation of the costs of operation of the junior
63 college district, and said board shall recommend a fair and
64 acceptable tax rate for district general support and maintenance
65 from each of the member counties.

66 The board of trustees of any junior college district as
67 constituted as of July 1, 1964, shall have the authority to
68 recommend the tax levy necessary for a newly contributing county
69 to have representation on the board of trustees of said junior
70 college.

71 From and after October 1, 1989, no county shall levy less
72 than (a) one (1) mill for the support, and (b) one (1) mill for
73 the enlargement, improvement and repair of the junior college
74 within the district of which the county is a member. From and



75 after October 1, 1990, the board of trustees of any junior college
76 district may, by a sixty percent (60%) affirmative vote of the
77 members of such board, recommend an additional one (1) mill which
78 may be used for the support or for the enlargement, improvement
79 and repair of the junior college within the district of which the
80 county is a member. If a county is levying more than the minimum
81 levy required herein for one category but less than the minimum
82 levy required for the other, then the excess millage under the one
83 may be applied towards making up the deficiency which exists in
84 the other. If a county contributes to two (2) junior college
85 districts, the combined levy for both districts shall not be less
86 than the minimums required herein.

87 Any county having any school district located therein with a
88 current operating deficit of Two Hundred Thousand Dollars
89 (\$200,000.00) or more on July 1, 1989, shall not be required to
90 levy the minimum millage required under this subsection (1) until
91 such time as the said operating deficit is eliminated, or for a
92 period of three (3) fiscal years, whichever is less. Provided,
93 however, that no such county shall levy a smaller tax millage for
94 capital improvements and general support of a junior college
95 district than was levied for the previous year.

96 No county shall levy a smaller tax millage for capital
97 improvements and general support of a junior college district than
98 was levied for the previous year, unless requested to make such
99 reduction by the board of trustees of the district. When a county



100 has a general reassessment of property to increase the county ad
101 valorem tax assessments, such county may reduce the millage for
102 general support and capital improvements, provided that its
103 aggregate budget for junior college purposes is not lower than was
104 paid the previous year.

105 In lieu of taxation, the board of trustees may fix the amount
106 of enrollee tuition in an amount commensurate with the per capita
107 cost of operating the district, which may also include any fees
108 assessed by the board upon each student enrolled under the
109 authority of Section 37-29-231 for the purpose of offsetting the
110 cost of first responder services provided to the main campus of
111 the community college by the local governing authority in
112 accordance with the provisions of the contract entered into under
113 the authority of Section 21-25-23 or the interlocal agreement
114 entered into under the authority of Section 37-29-231.

115 (2) Taxes for the support, enlargement, improvement and
116 repairs of junior colleges shall be levied annually against all of
117 the property of each county and of each municipal separate school
118 district, including added territory, which has established or may
119 hereafter establish, or which has joined or may hereafter join, in
120 the establishment or support of a junior college. In no case
121 shall such levy exceed three (3) mills for support and three (3)
122 mills for enlargement, improvement and repairs for each junior
123 college within the district of which the county or municipal
124 separate school district may be a component.



125 (3) The levy for support for any year in any given county or
126 separate school district is that presently prevailing therein
127 unless a change is recommended to the tax levying authorities by
128 the board of trustees or by a vote of the people ascertained in an
129 election called for that purpose by the tax levying authorities
130 subsequent to the petition therefor signed by twenty percent (20%)
131 of the qualified electors.

132 (4) Notwithstanding any provision of this section to the
133 contrary, the minimum millage required under subsection (1) shall
134 not be levied by the board of supervisors of any county within a
135 junior college district until the board of trustees of the
136 district adopts annually, an order, by a sixty percent (60%)
137 affirmative vote of the members of the board, that such minimum
138 millage shall be levied by each county within the district.

139 **SECTION 4.** This act shall take effect and be in force from
140 and after July 1, 2024.

