

By: Representative Lamar

To: Universities and  
CollegesHOUSE 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



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

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

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

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



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

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

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

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

From and after October 1, 1989, no county shall levy less than (a) one (1) mill for the support, and (b) one (1) mill for the enlargement, improvement and repair of the junior college 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



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

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

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

