

By: Representative Horan

To: Local and Private
Legislation

HOUSE BILL NO. 1880

1 AN ACT TO AMEND CHAPTER 936, LOCAL AND PRIVATE LAWS OF 2020,
 2 ON THE PROVISION OF THAT AUTHORIZES THE BOARD OF SUPERVISORS OF
 3 GRENADA COUNTY, MISSISSIPPI, TO ESTABLISH GREATER GRENADA
 4 PARTNERSHIP, WHICH IS AN ECONOMIC AND INDUSTRIAL DEVELOPMENT, BY
 5 EXPANDING THE AUTHORITY OF THE PARTNERSHIP TO INCLUDE CERTAIN
 6 COMMERCIAL AND COMMUNITY DEVELOPMENT FOR THE COUNTY AND FOR
 7 MUNICIPALITIES LOCATED WITHIN THE COUNTY OR WITHIN THE SURROUNDING
 8 AREA OF THE COUNTY; TO EXPAND WHO THE PARTNERSHIP MAY APPLY FOR
 9 AND ACCEPT CERTAIN GRANTS AND LOANS BY INCLUDING OTHER ENTITIES,
 10 INCLUDING ANY CONTRACTING COUNTY; AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** Chapter 936, Local and Private Laws of 2020, is
 13 amended as follows:

14 Section 1. As used in this act:

15 (a) "Partnership" means the economic and industrial
 16 development authority established under the provisions of this act
 17 and known as the Greater Grenada Partnership.

18 (b) "Board of supervisors" means the Board of
 19 Supervisors of Grenada County, Mississippi.

20 (c) "County" means Grenada County, Mississippi.

21 Section 2. When the board of supervisors shall find and
 22 determine that the public convenience and necessity require the



23 same, as evidenced by a resolution duly adopted and entered on the
24 official minutes of such board, it shall establish an economic and
25 industrial development authority, to be known as the Greater
26 Grenada Partnership.

27 The partnership shall be composed of not less than five (5)
28 nor more than seven (7) trustees who shall be qualified electors
29 of the county. The board of supervisors, at its sole discretion,
30 shall appoint each trustee. Three (3) of the trustees of the
31 board shall serve a term of one (1) year and all remaining
32 trustees shall serve a term of two (2) years. Trustees may be
33 reappointed without limitation.

34 Any trustee of the partnership may be disqualified and
35 removed from office for any one (1) of the following reasons:

- 36 (a) Conviction of a felony;
37 (b) Failure to attend three (3) consecutive meetings
38 without just cause.

39 If a trustee of the partnership is removed for one (1) of the
40 above reasons, the vacancy shall be filled in the manner
41 prescribed in this section.

42 Vacancies, which occur, shall be filled in the same manner as
43 the original appointments and shall be made for the unexpired
44 term.

45 The board of supervisors of the county, or their designee(s),
46 shall be nonvoting, ex officio members of the partnership for
47 purposes of serving only in an advisory capacity to the trustees



48 of the partnership. The attendance of any supervisor at
49 partnership meetings shall not count towards a quorum of the
50 trustees of the partnership.

51 Section 3. Before entering upon the duties of the office,
52 each trustee of such partnership shall take and subscribe the oath
53 of office required by Section 268, Mississippi Constitution of
54 1890, and shall give bond in the sum of Five Thousand Dollars
55 (\$5,000.00), conditioned upon the faithful performance of his
56 duties, such bond to be made payable to the partnership and to be
57 approved by the partnership. The premiums on all the surety bonds
58 shall be paid by the partnership. The trustees of such
59 partnership shall meet at the regular meeting place of the board
60 of supervisors of the county within five (5) days after the
61 trustees are initially appointed and shall elect from among their
62 number a chairman, vice chairman and secretary-treasurer of the
63 partnership and shall adopt a seal and such bylaws, rules and
64 regulations as may be necessary to govern the time, place and
65 manner for holding subsequent meetings of the partnership and for
66 conduct of its business, not inconsistent with the provisions of
67 this act. The trustees of the partnership shall serve without
68 salary or compensation; however, their actual expenses incurred in
69 the performance of their duties may be reimbursed, including
70 mileage as authorized by law for state employees.

71 Section 4. (1) The partnership is hereby expressly
72 authorized and empowered to acquire by gift, purchase or



73 otherwise, and to own, hold, maintain, control and develop real
74 estate and personal property situated within the county, either
75 within or without the corporate limits of a municipality, or
76 outside the county limits, for development, use and operation as
77 industrial park complexes, industrial sites, business parks,
78 tourist destinations, commercial or retail, residential
79 development or for any other * * * development purposes, such
80 complexes, sites and purposes hereinafter referred to in this act
81 as "projects," and is further authorized and empowered to engage
82 in works of internal improvement therefor, including, but not
83 limited to, construction or contracting for the construction of
84 streets, roads, railroads, site improvements, and water, sewerage,
85 drainage, pollution and other related facilities necessary or
86 required for the development of such projects, and to acquire,
87 purchase, install, lease, finance, construct, own, hold, equip,
88 control, maintain, use, operate and repair structures and
89 facilities necessary and convenient for the planning, development,
90 use, operation and maintenance of such projects, including, but
91 not limited to, utility installations, elevators, compressors,
92 warehouses, buildings, and air, rail and other transportation
93 terminals, and pollution control facilities. In the event the
94 partnership takes by gift or otherwise any land, buildings or
95 other tangible assets from any persons, corporations, public or
96 private, the partnership may assume all or any part of the
97 liabilities resulting from such acceptance under such terms and



98 conditions as will be in the best interest of the citizens of the
99 county or the surrounding area.

100 (2) The partnership is authorized and empowered to sell,
101 lease, trade, exchange or otherwise dispose of sites situated
102 within projects to individuals, firms or corporations, public or
103 private, for all types of industrial, commercial, agricultural,
104 social, community or other * * * development uses upon such terms
105 and conditions, for such consideration, and with such safeguards
106 as will best promote and protect the public interest, convenience
107 and necessity, and to execute options, deeds, leases, contracts,
108 easements and other legal instruments necessary or convenient
109 therefor. The partnership may also contribute funds and/or
110 resources directly to the development and cost of operation of any
111 industrial development foundation, public housing authority, or
112 other private economic development group in the county or
113 surrounding area.

114 (3) The partnership is authorized and empowered to fix and
115 prescribe fees, charges and rates for the use of any water,
116 sewerage, pollution or other facilities constructed and operated
117 in connection with projects and to collect the same from persons,
118 firms and corporations using the same for industrial, commercial,
119 agricultural or other economic development purposes, except as to
120 rates and charges against common carriers regulated by an agency
121 of the federal government or the Mississippi Public Service
122 Commission.



123 (4) The partnership is authorized and empowered to employ
124 engineers, attorneys, accountants, consultants and such executive
125 and administrative personnel and other employees or independent
126 contractors as shall be reasonably necessary to carry out the
127 duties and authority authorized by this act, to determine their
128 qualifications and duties and to establish compensation and other
129 employment benefits as may be advisable to attract and retain
130 proficient personnel. The employees or contractors, if any, of
131 the partnership shall not be considered as employees of the county
132 for state retirement or any other purposes. The partnership, in
133 addition to all other powers, is authorized and empowered to
134 purchase, lease, sell and trade office equipment, to purchase
135 necessary office supplies, to purchase or lease any equipment and
136 vehicles the partnership deems necessary for economic, commercial,
137 social, community and industrial development and to carry out the
138 purposes of this act. The partnership is authorized, in addition
139 to all other powers, to buy, lease, sell, convey and do all other
140 necessary business transactions for carrying out the purpose of
141 and administering the partnership and to do all acts necessary and
142 convenient to operate and carry out the duties of the partnership.

143 (5) When disposing of its real property pursuant to this
144 act, the partnership may contract with duly licensed realtors and
145 real estate brokers and may pay real estate commissions resulting
146 from such dispositions not to exceed six percent (6%) resulting
147 from such dispositions. No partnership board trustee, officer or



148 employee may be paid a real estate commission or any other form of
149 compensation from such disposition.

150 (6) Subject to the prior written approval of the board of
151 supervisors, the partnership is expressly authorized and empowered
152 to borrow money by issuing its negotiable promissory notes which
153 may be secured by execution of a deed of trust upon any property
154 owned by the partnership, or other collateral available to or in
155 the possession of the partnership. In addition to any available,
156 nonobligated revenues and other funds of the partnership, the
157 board of supervisors may pledge all or any portion of the levy
158 authorized for support of the partnership provided for in Section
159 8 of this act for the repayment of any indebtedness authorized
160 under the provisions of this act, and the county shall be
161 obligated to continue such levy until the authorized indebtedness
162 is paid in full. The pledge of the tax levy to secure repayment
163 of any sums borrowed shall be done only by order spread upon the
164 minutes of the board of supervisors and the partnership after the
165 affirmative vote of a majority of the members of the board of
166 supervisors and trustees of the partnership. This authority to
167 borrow money shall be in addition to the authority of the county
168 to borrow money or issue bonds on behalf of the partnership as
169 specified in Section 4(9) herein.

170 The county shall not be liable for the repayment of any
171 indebtedness incurred by the partnership unless the board of
172 supervisors of the county has pledged a portion of the tax levy



173 otherwise authorized as security therefor, in which event the
174 county shall be obligated only to the extent of the tax levy so
175 pledged. The board of supervisors may, however, authorize payment
176 on such debt from other sources available for such payment.

177 (7) The enumeration of any specific rights and powers
178 contained herein, and elsewhere in this act, where followed by
179 general powers, shall not be construed in a restrictive sense, but
180 rather in as broad and comprehensive a sense as possible to
181 effectuate the purposes of this act. Nothing in this act should
182 be construed to limit, restrict, or otherwise alter the duties,
183 responsibilities and authority of the board of supervisors as
184 provided under the Mississippi Constitution of 1890 and the laws
185 of the State of Mississippi.

186 (8) Any industrial, commercial, community or economic
187 development purchase agreement or lease may be executed upon such
188 terms and conditions, which shall be binding on any successor
189 boards, and for such monetary rental or other consideration as may
190 be found adequate and approved by the partnership in orders or
191 resolutions authorizing the same. Any covenants and obligations
192 of the purchaser or lessee to make expenditures in determined
193 amounts, and within such time or times, for improvements to be
194 erected on the land by such purchaser or lessee and to conduct
195 thereon * * * operations in such aggregate payroll amounts and for
196 such period of time or times as may be determined and defined in
197 such purchase agreement or lease, and to give preference in



198 employment where practicable to qualified residents of the county
199 in which any project is situated, shall, if included in such
200 purchase agreement or lease, constitute and be deemed sufficient
201 consideration for the execution of any such purchase agreement or
202 lease in the absence of a monetary rental or other consideration.
203 Any such instrument may contain reasonable provisions giving the
204 purchaser or lessee the right to remove its or his improvements
205 upon termination of the lease.

206 (9) Upon the request of the partnership and in addition to
207 any other authority prescribed by law, the board of supervisors,
208 in its discretion, may issue bonds for the benefit of the
209 partnership pursuant to the authority contained in Section
210 19-5-99, Mississippi Code of 1972.

211 (10) Not less than sixty (60) days prior to the end of its
212 fiscal year, the partnership shall file with the board of
213 supervisors a budget of projected revenues, expenses and other
214 financial activities for the coming fiscal year in a form
215 satisfactory to the board of supervisors and, in addition thereto,
216 as soon after the end of each fiscal year as practicable, the
217 partnership shall file with the board of supervisors a copy of its
218 certified audit and financial statement for the immediate past
219 fiscal year of the partnership.

220 Section 5. The partnership is authorized and empowered to
221 take all actions and expend any such funds of the partnership as
222 shall be necessary or determined to be in the public interest for



223 the promotion of economic and/or industrial development in the
224 county, including, but not limited to, efforts to develop,
225 promote, attract and/or expand existing businesses and industries,
226 new businesses and industries, tourism, aerospace and aviation
227 businesses, communications and information technology businesses,
228 remote data centers, contact centers, warehousing and distribution
229 businesses, shared services centers, defense or homeland security
230 businesses, metal fabrication businesses, research and development
231 businesses, manufacturing, * * * housing, and hospitality
232 businesses within or without the county, and to expend such funds
233 of the partnership as shall be necessary or determined in the
234 public interest to develop and promote the * * * workforce,
235 promote available jobs within the county and surrounding area, and
236 to develop and promote such training programs for the same.

237 Section 6. The carrying out of the corporate purposes of the
238 partnership is in all respects for the benefit of the people of
239 the county and is a public purpose, and the partnership will be
240 performing an essential governmental function in the exercise of
241 the powers conferred upon it by this act. Hence, any property
242 owned or held by the partnership or under its jurisdiction under
243 the provisions of this act shall be exempt from all taxation in
244 the State of Mississippi.

245 Section 7. The notes specifically authorized by this act
246 shall be exempt from all income taxation in the state and shall
247 not be included in any debt limit calculation.



248 Section 8. (1) In addition to rights, duties and powers now
249 or hereafter conferred upon the board of supervisors, the board of
250 supervisors, at the request of the partnership, is authorized and
251 empowered, in its discretion, to make available to the partnership
252 any revenue in the general fund of the county which is otherwise
253 unappropriated, for economic or industrial development purposes.

254 The board of supervisors may, in its discretion and without
255 the need to reauthorize and renote intent, continue to levy the
256 tax of not more than two (2) mills it currently levies and
257 collects pursuant to Section 19-9-111, Mississippi Code of 1972,
258 to be used to support and maintain the partnership.

259 (2) Further, the board of supervisors may, in its
260 discretion, levy an additional tax of not more than two (2) mills
261 against the taxable property in the county to be used to support
262 and maintain the partnership created in this act. Before any such
263 levy is made, the board of supervisors shall signify its intention
264 to make such a levy and publish same in a newspaper published in
265 the county for thirty (30) days prior to making said levy. In the
266 event more than twenty percent (20%) or one thousand five hundred
267 (1,500), whichever is less, of the qualified electors of the
268 county protest in writing to the board of supervisors against the
269 imposition of such tax levy within thirty (30) days from the date
270 such notice is published, then such proposed tax levy shall not be
271 made unless same is approved by a special election called for said
272 purpose. Such special election shall be conducted and had as



273 provided by law. This levy shall be in addition to all other
274 levies provided by law and in this act.

275 Section 9. The partnership, in addition to the monies which
276 may be received by it from the sale of bonds, notes and from the
277 collection of revenues, rents and earnings derived under the
278 provisions of this act, shall have the authority to accept from
279 any public or private agency, or from any individual, grants for
280 or in aid of the construction of any project, or for the payment
281 of bonds, and to receive and accept contributions from any source
282 of money or property or other things of value to be held, used and
283 applied only for the purposes for which such grants or
284 contributions may be made.

285 Section 10. (1) Notwithstanding any provision of this act
286 to the contrary, the trustees of the partnership, with the written
287 approval of the board of supervisors and the governing authorities
288 of any municipality located within the county, may enter into a
289 contract providing for the delivery of economic and/or industrial
290 development services to the municipality and contribution of funds
291 by the municipality to the partnership. If the municipality
292 contributes funds to the partnership, the contract may provide for
293 the appointment by the municipal governing authorities of such
294 number of nonvoting representatives, as may be determined by the
295 parties to the contract, to advise in the management of the
296 partnership.



297 (2) The trustees of the partnership, with the approval of
298 the board of supervisors, may enter into a contract or agreement
299 with the governing body of any other local or regional economic or
300 industrial development foundation, private economic development
301 group, or other public entity or alliance for the purposes of
302 promoting, attracting and locating economic and/or industrial
303 development within or without the county.

304 Section 11. Upon the creation of the partnership authorized
305 by this act, the board of supervisors is authorized, by duly
306 adopted resolution, to dissolve the Grenada County Economic
307 Development District, created by Section 19-5-99, Mississippi Code
308 of 1972, and to transfer, donate or sell any part of the assets,
309 liabilities and other responsibilities and obligations of the
310 district, to the partnership under such terms and conditions as
311 may be in the best interest of the county, or as may be otherwise
312 required by law to effectuate the intent of this act. As set
313 forth in Section 8(1) of this act, the existing two-mill tax levy
314 of the district authorized by Section 19-9-111 shall continue for
315 the support and maintenance of the partnership.

316 Section 12. The partnership is authorized to apply for and
317 accept grants and loans on behalf of the partnership, the county
318 and any contracting municipality or other entity, including any
319 contracting county, from the State of Mississippi or the United
320 States or any agency thereof, and to contract with any agency of



321 the State of Mississippi and United States for * * * industrial,
322 economic and community development.

323 Section 13. This act shall be deemed to be full and complete
324 authority for the exercise of the powers herein granted, but this
325 act shall not be deemed to repeal or to be in derogation of any
326 existing law of this state wherein projects of the character
327 herein defined may be constructed or financed.

328 Section 14. The board of supervisors is authorized and
329 empowered to adopt any and all lawful resolutions, orders and/or
330 ordinances, to execute such documents, contracts, leases,
331 certificates and indentures, and to do and perform any and all
332 acts and things necessary and requisite to carry out the purposes
333 of this act.

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

