

By: Representative Mattox

To: County Affairs

HOUSE BILL NO. 1266

1 AN ACT TO AMEND SECTION 19-3-19, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT FOR A SPECIAL OR EMERGENCY MEETING, THE COUNTY BOARD
3 OF SUPERVISORS MAY PROVIDE SUCH NOTICE WITHIN TWO HOURS OF THE
4 MEETING VIA THE COUNTY'S WEBSITE; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 19-3-19, Mississippi Code of 1972, is
7 amended as follows:

8 19-3-19. (1) The board of supervisors may, at a regular
9 meeting, by an order on its minutes, adjourn to meet at any time
10 it may determine upon.

11 (2) Except as otherwise provided in subsection (4) of this
12 section, the president, or the vice president in the absence or
13 disability of the president, or any three (3) members of the
14 board, may call special meetings when deemed necessary. Notice
15 shall be given of all special meetings, for at least five (5)
16 days, by advertisement posted at the courthouse door, or published
17 in a newspaper of the county, and the notice thereof, whether
18 posted or published in a newspaper, shall be entered in full on
19 the minutes of * * * the meeting. The notice of a special



20 meeting * * * shall specify each matter of business to be
21 transacted thereat, and at such special meetings business shall
22 not be transacted which is not specified in the order or notice
23 for such meeting.

24 (3) Except as otherwise provided in subsection (5) of this
25 section, the president, or the vice president in the absence or
26 disability of the president, or any two (2) members of the board,
27 may by written notice, call an emergency meeting of the board of
28 supervisors in cases of an emergency arising as a result of
29 serious damage to county property, or to roads or bridges, or
30 emergencies arising as a result of epidemic conditions or weather
31 conditions. The notice shall state the time of the meeting and
32 distinctly specify the subject matters of business to be acted
33 upon and be signed before a notary by the officer or officers
34 calling the meeting. At least three (3) hours before the time
35 fixed for the meeting, notice shall be personally delivered to the
36 members of the board who have not signed it and who can be found.
37 The notice shall also be posted at the courthouse door at least
38 three (3) hours before the time fixed for the meeting. If a
39 member of the board cannot be found to complete the personal
40 delivery of the notice, the president, vice president or any one
41 of the two (2) members of the board calling an emergency meeting
42 shall make every attempt, within the applicable notice period, to
43 contact the board member that was not personally found by other
44 available means, including, but not limited to, telephone or



e-mail. The method of notice used to call the meeting shall be entered on the minutes of the emergency meeting, and business not specified in the notice shall not be transacted at the meeting.

(4) In lieu of the procedure set out under subsection (2) of this section, the president, or the vice president in the absence of the president, or any three (3) members of the board, may call special meetings within two (2) hours of such meeting. The notice of a special meeting shall specify each matter of business to be transacted thereat, and at such special meeting, business shall not be transacted which is not specified in the order or notice for such meeting. The notice of the special meeting shall be posted as follows:

(a) Within two (2) hours after such special meeting is called in a prominent place available for examination and inspection by the general public in the building in which the board of supervisors normally meets. A copy of the notice shall be made a part of the minutes or other permanent official records of the public body; and

(b) To the county's website, if the county has a website and has the capability to update the website, not less than two (2) hours before the meeting. The notice shall specify the place, date, hour and subject of the special meeting. A copy of this notice shall be transmitted via email or facsimile not less than two (2) hours before the meeting to any citizen and any publication, broadcast and digital media with a general



70 circulation or coverage within the county's jurisdiction, that has
71 submitted in writing its interest to receive these notices. Any
72 county board of supervisors may, at its discretion, purge any list
73 of publications, broadcasts or digital media that have requested
74 to receive the notices once every twenty-four (24) months. After
75 the purge, any publication, broadcast or digital media may
76 resubmit in writing its interest to receive the notices. Nothing
77 in this subsection shall add additional notice requirements for
78 meetings of county boards of supervisors held in cases of
79 emergencies. The provision of this subsection requiring notice to
80 be posted on the county's website shall not apply to any county
81 with less than fifty thousand (50,000) according to the latest
82 federal decennial census.

83 (5) In lieu of the procedure set out under subsection (3) of
84 this section, the president, or the vice president in the absence
85 or disability of the president, or any two (2) members of the
86 board, may call an emergency meeting within two (2) hours of the
87 meeting. The notice shall specify the place, date, hour and
88 subject of the emergency meeting. The notice of an emergency
89 meeting shall specify each matter of business to be transacted
90 thereat, and at such emergency meeting, business shall not be
91 transacted which is not specified in the order or notice for such
92 meeting. An emergency meeting of the board of supervisors may be
93 called in cases of an emergency arising as a result of serious
94 damage to county property, or to roads or bridges, or emergencies



arising as a result of epidemic conditions or weather conditions.
Notice of an emergency meeting shall be posted to the county's
website, if the county has a website and has the capability to
update the website, not less than two (2) hours before the
meeting. A copy of this notice shall be transmitted via email or
facsimile not less than two (2) hours before the meeting to any
citizen and any publication, broadcast and digital media with a
general circulation or coverage within the county's jurisdiction,
that has submitted in writing its interest to receive these
notices. Any county board of supervisors may, at its discretion,
purge any list of publications, broadcasts or digital media that
have requested to receive the notices once every twenty-four (24)
months. After the purge, any publication, broadcast or digital
media may resubmit in writing its interest to receive the notices.
Nothing in this subsection (5) shall add additional notice
requirements, unless otherwise provided by a law, for meetings of
county boards of supervisors held in cases of emergencies. The
provision of this subsection (5) requiring notice to be posted on
the county's website shall not apply to any county with less than
fifty thousand (50,000) according to the latest federal decennial
census.

SECTION 2. This act shall take effect and be in force from
and after July 1, 2025.

