

By: Senator(s) Younger

To: Agriculture;
Accountability, Efficiency,
Transparency

SENATE BILL NO. 2006

1 AN ACT TO RECONSTITUTE THE MISSISSIPPI FAIR COMMISSION; TO
2 PROVIDE FOR ITS COMPOSITION; TO PRESCRIBE AND RESTORE ITS POWERS
3 AND DUTIES, WHICH HAD BEEN TRANSFERRED TO THE MISSISSIPPI
4 DEPARTMENT OF AGRICULTURE AND COMMERCE BY VIRTUE OF HOUSE BILL NO.
5 1566, 2020 REGULAR SESSION; TO AMEND SECTIONS 69-5-1, 69-5-3,
6 69-5-5, 69-5-7, 69-5-8, 69-5-11, 69-5-13, 69-5-15, 69-5-27,
7 69-5-29 AND 69-5-31, MISSISSIPPI CODE OF 1972, IN CONFORMITY
8 THERETO; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 69-5-1, Mississippi Code of 1972, is
11 amended as follows:

12 69-5-1. * * *

13 (* * *1) In order to promote agricultural and industrial
14 development in Mississippi and to encourage the farmers to grow
15 better livestock and agricultural products, there is hereby
16 created * * * a body politic and corporate to be hereafter known
17 as the "Mississippi Fair * * * Commission," which said body
18 politic and commission shall be under the management and control
19 of the commission, * * * which shall be composed of the following:

20 (a) The Commissioner of Agriculture and Commerce, who
21 shall serve as the chairman * * *;



22 (b) The Director of the Mississippi State University
23 Extension Service, or his or her appointee * * *;

24 (c) The President of the Mississippi * * * Cattlemen's
25 Association, or his or her appointee;

26 (d) The * * * President of the Mississippi * * * Farm
27 Bureau Federation, or his or her appointee;

28 (e) The * * * President of the Junior League of
29 Jackson, or her appointee * * *;

30 (f) The * * * Director of Visit Mississippi, or his or
31 her appointee; and * * *

32 (g) The President of the Mississippi Horse Show
33 Association, or his or her appointee.

34 (2) Each member of the commission shall be appointed to
35 serve for a term of four (4) years * * * without salary
36 compensation. In the event a vacancy occurs by resignation or
37 death, the respective organization from which the appointment was
38 made shall designate a successor to represent the organization on
39 the commission wherein the vacancy was created.

40 (3) The Mississippi Fair Commission is hereby vested with
41 all of the powers, duties, property, contractual rights and
42 obligations to expended funds that shall be appropriated by the
43 Legislature.

44 **SECTION 2.** Section 69-5-3, Mississippi Code of 1972, is
45 amended as follows:



46 69-5-3. (1) The * * * Mississippi Fair Commission shall set
47 up rules and regulations consistent with the law governing the
48 distribution of state monies for premiums or awards, which shall
49 not be less than One Thousand Dollars (\$1,000.00) each and capped
50 at an amount established by the commission, which such amounts
51 shall be appropriated by the Legislature based upon the
52 commission's recommendations for such purpose included in its
53 annual budget request submitted to the Joint Legislative Budget
54 Committee. It will be the duty of the * * * commission to meet
55 upon the call of the Commissioner of Agriculture and Commerce, in
56 his or her capacity as chairman, at least twice each year, to
57 approve premium lists or awards, and give out rules governing
58 participants in state premium money in Mississippi. The * * *
59 commission may invite the presidents of the various district
60 livestock shows before the * * * commission when determining
61 policies affecting district livestock shows.

62 (2) The * * * Mississippi Fair Commission is hereby
63 authorized to accept money or funds donated to the * * *
64 commission, including funds to be awarded as prizes in livestock
65 competition. Any money or funds received under this subsection
66 shall be placed in a special fund. The * * * commission shall not
67 expend any money or funds from the special fund without
68 appropriation by the Legislature.

69 (3) The * * * Mississippi Fair Commission shall have charge
70 of the State Fairgrounds located in Jackson, Mississippi,



71 including all buildings and improvements thereon, and shall have
72 full power and authority in perfecting plans and causing to be
73 held thereon the Mississippi State Fair and other such events that
74 may be authorized by the * * * commission. The Mississippi State
75 Fair shall be held on the State Fairgrounds as defined by this
76 subsection.

77 (4) The * * * Mississippi Fair Commission is hereby
78 authorized to employ an attorney as prescribed in Section 69-1-14.

79 (5) The * * * Mississippi Fair Commission may take any
80 action authorized in Section 1 of Chapter 306, Laws of 2000.

81 (6) Subject to the approval of the Department of Finance and
82 Administration, the * * * Mississippi Fair Commission may allow a
83 commercial, charitable or governmental entity to use, publish and
84 advertise such entity's name in connection with any of the
85 buildings, improvements, grounds or objects located on the State
86 Fairgrounds as defined in subsection (3) of this section, except
87 for the Kirk Fordice Equine Center, or in connection with any of
88 the events conducted on the State Fairgrounds in return for a
89 monetary consideration paid to the * * * commission. Furthermore,
90 the * * * commission may lease to any public, private, commercial
91 or charitable entity for a term not to exceed twenty (20) years
92 naming rights to buildings, except for the Kirk Fordice Equine
93 Center, or property, including, but not limited to, new
94 construction, improvements to existing buildings, grounds and/or
95 objects located on the State Fairgrounds as defined in subsection



96 (3) of this section in return for consideration benefitting the
97 commission. The lessee shall pay the cost of erecting,
98 maintaining and removing signage related to the property. Those
99 funds received from an entity for allowing its name to be used,
100 published or advertised in connection with the buildings,
101 improvements, objects or events shall be retained by the * * *
102 commission to be used for capital improvements to the fairgrounds
103 or in its annual operating budget subject to appropriation by the
104 Legislature and shall be deposited in the special fund referenced
105 in subsection (8) of this section. The * * * commission shall not
106 enter into any such agreement with any vendor whose products are
107 illegal for participation in or use by persons eighteen (18) years
108 of age and under.

109 (7) The Commissioner of Agriculture and Commerce, as
110 Chairman of the Mississippi Fair Commission, is authorized to form
111 and establish a private foundation or nonprofit corporation to
112 receive and disburse private funds for the purpose of supporting
113 the fairgrounds through fundraising efforts and the acceptance of
114 donations for the benefit of the fairgrounds. The funds shall be
115 disbursed in accordance with the guidelines described in this
116 section, and the foundation or nonprofit corporation shall be
117 subject to the reporting requirements described in subsection (10)
118 of this section. All funds shall remain with the foundation until
119 disbursement and shall not be transferred to the State General
120 Fund. No public funds shall be deposited into the account of the



private foundation or nonprofit corporation established by the * * * commission for the benefit of the State Fairgrounds, nor shall the Legislature appropriate any State General Fund or Special Fund monies to the foundation or nonprofit corporation for such purposes. All monies received by the foundation shall be maintained separately from funds allocated to the * * * commission for operating and administrative costs associated with the State Fairgrounds as defined in subsection (3) of this section. In addition to the reporting of information to be included in the annual legislative report of the * * * commission, the private foundation or nonprofit corporation shall be subject to annual financial audits by the State Auditor and by auditors of donors in the same manner as required for state agencies.

(8) The * * * Mississippi Fair Commission shall have the authority to enter into a lease or right-of-way with a third party covering any land or buildings on the State Fairgrounds as defined in subsection (3) of this section, and any funds generated from such lease or right-of-way shall remain in a special fund managed by the * * * commission for the benefit of the State Fairgrounds. All monies in the special fund shall be subject to appropriation by the Legislature and may be used for capital improvements to the State Fairgrounds as defined in subsection (3) of this section, or in the * * * commission's annual operating budget for operating and administrative costs associated with the State Fairgrounds. Any unexpended funds remaining in the special fund shall not lapse



into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited in the fund.

(9) The * * * Mississippi Fair Commission is hereby authorized * * * to adopt such rules and regulations as may be necessary or desirable to carry out, execute or implement the provisions of this article.

(10) The * * * Mississippi Fair Commission shall report by January 1 of each year a detailed financial statement of all monies received and expended under subsection (6) and subsection (7) of this section to the Lieutenant Governor, the Speaker of the House of Representatives and the Chairman of the Senate Agriculture Committee and the Chairman of the House of Representatives Agriculture Committee and the Chairs of the Appropriations Committees of the House and Senate.

SECTION 3. Section 69-5-5, Mississippi Code of 1972, is amended as follows:

69-5-5. The * * * Mississippi Fair Commission shall appoint, subject to the advice and consent of the Senate, a director to serve within the * * * Mississippi Department of Agriculture and Commerce, who shall oversee all operations at the State Fairgrounds Complex and its adjoining properties and who shall be required to keep full and complete minutes of the commission's actions and give full and detailed reports of livestock shows and fairs participating in premium monies, for report to the Governor and Legislature. The compensation of the director shall be fixed



by the * * * commission, subject to approval by the State Personnel Board, and shall be exempt from the provisions of subsection (2) of Section 25-3-39.

SECTION 4. Section 69-5-7, Mississippi Code of 1972, is amended as follows:

69-5-7. Headquarters of the Mississippi State Fair * * * Commission shall be in connection with the office of the Department of Agriculture and Commerce.

SECTION 5. Section 69-5-8, Mississippi Code of 1972, is amended as follows:

69-5-8. The building under the jurisdiction of the * * * Mississippi Fair Commission, that is located in Jackson, Mississippi, and used primarily as an arena for rodeo and livestock expositions and related events, shall be named the Kirk Fordice Equine Center. The * * * Mississippi Fair Commission shall prepare or have prepared a distinctive plaque, to be placed in a prominent place within the Kirk Fordice Equine Center, that states the background, accomplishments and service * * * of Governor Kirk Fordice to the State of Mississippi.

SECTION 6. Section 69-5-11, Mississippi Code of 1972, is amended as follows:

69-5-11. (1) The * * * Mississippi Fair Commission shall charge for admission to the State Fair. The proceeds thereof shall be used for the repayment of revenue bonds issued for the



purpose of constructing, equipping and furnishing new buildings and making improvements on the State Fairgrounds.

(2) Funds collected in excess of those required to retire any outstanding bond indebtedness may be used as operating revenue for the * * * Mississippi Fair Commission for operating and administrative costs associated with the State Fairgrounds, and such excess funds received by the * * * commission shall be deposited in a special fund account managed by the * * * commission for the benefit of the State Fairgrounds.

(3) The State Treasurer is hereby directed to invest such excess funds to the credit of the special account managed by the * * * Mississippi Fair Commission for the benefit of the State Fairgrounds.

SECTION 7. Section 69-5-13, Mississippi Code of 1972, is amended as follows:

69-5-13. The * * * Mississippi Fair Commission is hereby authorized and empowered, in its discretion, to declare by resolution the number and type buildings which need to be constructed and the type improvements that need to be made on the state fairgrounds, and file a certified copy of said resolution with the State Building Commission. If the State Building Commission believes such construction and improvements to be in the best public interest, and that receipts from admission to the State Fair reasonably shall be expected to produce sufficient revenues over a period not to exceed twenty (20) years to retire



bonds issued to pay the cost of such improvements as well as the interest thereon, it may, in its discretion, approve the request of the * * * Mississippi Fair Commission.

SECTION 8. Section 69-5-15, Mississippi Code of 1972, is amended as follows:

69-5-15. (1) The words "revenue bonds" shall be deemed to mean bonds payable solely from the net revenue received by the * * * Mississippi Fair Commission.

The Department of Finance and Administration shall have power and is hereby authorized, at one time or from time to time by resolution, to authorize the issuance of negotiable revenue bonds to provide funds for the purpose of paying all or any part of the cost of construction and/or improvements requested by the * * * Mississippi Fair Commission pursuant to Section 69-5-13, or the cost of any purchase of property or improvements thereon pursuant to Section 17-17-49, but in no event shall the amount of such bonds outstanding at any one time exceed Four Million Dollars (\$4,000,000.00); and shall cause a certified copy of such resolution to be delivered to the State Bond Commission. No bonds shall be issued under this section after April 23, 2008. Upon the receipt of said authorizing resolution, the State Bond Commission, acting as the issuing agent, shall issue and sell the revenue bonds of the State of Mississippi when authorized at the time and in the amount indicated in said resolution, prescribe the form of the bonds, advertise for and accept bids therefor, issue and sell



245 the bonds, and do any and all other things necessary and advisable
246 in the issuance and sale of said bonds. The principal of and the
247 interest on such revenue bonds shall be payable solely from a
248 special fund to be provided for that purpose from the net revenue
249 received by the * * * Mississippi Fair Commission. Such bonds
250 shall bear date or dates, be in such denomination or
251 denominations, bear interest at such rate or rates, provided that
252 the bonds of any issue shall not bear a greater overall maximum
253 interest rate to maturity than that allowed in Section 75-17-103,
254 be payable at such place or places within or without the State of
255 Mississippi, shall mature at such time or times, be redeemable
256 prior to maturity at such time or times and upon such terms, with
257 or without premium, shall bear such registration privileges, and
258 shall be substantially in such form, all as shall be determined by
259 the State Bond Commission. Such bonds shall mature in annual
260 installments beginning not more than three (3) years from date
261 thereof and extending not more than twenty (20) years from date
262 thereof. Such bonds shall be signed by the Chairman of the State
263 Bond Commission, or by his facsimile signature, and the official
264 seal of the State Bond Commission shall be affixed thereto, and
265 attested by the Secretary of the State Bond Commission. The
266 interest coupons, if any, to be attached to such bonds or other
267 certificates thereon may be executed by the facsimile signatures
268 of said officers. Whenever any such bonds shall have been signed
269 by the officials herein designated to sign the bonds who were in



office at the time of such signing but who may have ceased to be such officers prior to the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until the delivery of the same to the purchaser or had been in office on the date such bonds may bear.

(2) No bonds shall be issued under the authority of this section prior to February 1, 1983; thereafter such bonds may be issued provided that the expansion and other improvements of the Mississippi Industrial Showcase and Trade Mart Building shall have priority in the use of the proceeds of such bonds and provided that the Department of Finance and Administration has approved plans to increase the size of such building by at least fifty percent (50%).

SECTION 9. Section 69-5-27, Mississippi Code of 1972, is amended as follows:

69-5-27. The * * * Mississippi Fair Commission shall have the power and authority, in its discretion, to borrow money from any bank or banks in an amount not in excess of Two Hundred Thousand Dollars (\$200,000.00), to be used for the repair, renovation or maintenance of buildings located at the Mississippi State Fairgrounds. The * * * commission may use any funds accruing to it to service and retire said indebtedness. Such loan



shall not exceed a term of ten (10) years and shall bear interest at a rate not in excess of that provided for in Section 75-17-101.

Any loan secured under the provisions of this section shall be approved by the State Bond Commission.

SECTION 10. Section 69-5-29, Mississippi Code of 1972, is amended as follows:

69-5-29. The * * * Mississippi Fair Commission may by regulation establish policies for the issuance of free passes. These policies shall not prohibit officials of the fair or designated authority from entering said places for inspection purposes; shall not apply to press reporters designated to report news items; and shall not prohibit the commission from declaring specified days, such as Press Day, Legislator's Day, or any other special day.

SECTION 11. Section 69-5-31, Mississippi Code of 1972, is amended as follows:

69-5-31. (1) The * * * Mississippi Fair Commission is authorized to hire and designate area law enforcement officers on a contractual basis to provide security and to enforce all laws of the State of Mississippi on the Mississippi State Fairgrounds Complex. All officers must have attended and satisfactorily completed the training course required for law enforcement officers at the Law Enforcement Officer's Training Academy or an equivalent facility. All officers must be current with this certification. A complete record of all law enforcement training



of each employee will be maintained in each employee's record of employment. Furthermore, the * * * Mississippi Fair Commission may enter into a contract with any certified law enforcement officer to provide security to the * * * Mississippi Fair Commission with jurisdiction to enforce all laws of the State of Mississippi on property known as the "Mississippi State Fairgrounds Complex" and any and all of its outlying buildings and property.

(2) (a) All officers while in performance of their duty on the premises or at any of the facilities at the Mississippi State Fairgrounds Complex under the direction or control of the * * * Mississippi Fair Commission and public property immediately adjacent to such facilities shall:

(i) Be required to dress in uniforms prescribed by the respective law enforcement agency by which he or she is employed; and

(ii) Be authorized to carry weapons.

(b) Employees designated as officers shall be duly sworn and vested with authority to bear arms and make arrests, and shall exercise primarily the responsibilities of the prevention and detection of crime, the apprehension of criminals, and the enforcement of the ordinances and policies of the * * * Mississippi Fair Commission, a political subdivision of the State of Mississippi. Employees designated as such officers shall be



considered law enforcement officers within the meaning of Section 45-6-3.

(3) The identities and personal information of the officers under the authority of this section are confidential and shall not be publicly disclosed by the department. The * * * Mississippi Fair Commission shall redact the identities and personal information of officers contracted to serve on the Mississippi State Fairground Complex, from all contracts disclosed as public records in compliance with the Mississippi Public Records Act, prescribed under Section 25-61-1 et seq.; and such law enforcement contracts shall not be posted on the Department of Finance and Administration's searchable website, as required by the Mississippi Accountability and Transparency Act, prescribed under Section 27-104-151 et seq.

SECTION 12. This act shall take effect and be in force from and after July 1, 2025.

