

By: Representative Bell (21st)

To: Universities and
Colleges; Accountability,
Efficiency, Transparency

HOUSE BILL NO. 322

1 AN ACT TO CREATE NEW SECTION 37-4-2, MISSISSIPPI CODE OF
2 1972, TO PROVIDE THAT ALL PUBLIC COMMUNITY AND JUNIOR COLLEGES
3 SHALL BE UNDER THE AUTHORITY AND CONTROL OF THE MISSISSIPPI
4 COMMUNITY COLLEGE BOARD; TO AMEND SECTION 37-4-3, MISSISSIPPI CODE
5 OF 1972, TO PROVIDE FOR THE RECONSTITUTION FOR THE MISSISSIPPI
6 COMMUNITY COLLEGE BOARD, TO CONSIST OF TWELVE MEMBERS APPOINTED BY
7 THE GOVERNOR, SUBJECT TO THE ADVICE AND CONSENT OF THE SENATE, OF
8 WHICH SUCH MEMBERS SHALL SERVE A TERM OF SIX YEARS; TO PROVIDE FOR
9 THE TERMS OF THE INITIAL MEMBERS OF THE RECONSTITUTED BOARD, WHICH
10 SHALL COMMENCE ON JANUARY 1, 2027; TO PRESCRIBE THE PROCEDURE FOR
11 SELECTING BOARD MEMBERS IN THE EVENT A VACANCY OCCURS; TO
12 PRESCRIBE THE POWERS AND DUTIES OF THE BOARD; TO AMEND SECTION
13 37-4-4, MISSISSIPPI CODE OF 1972, TO PRESCRIBE THE QUALIFICATIONS
14 OF MEMBERS SELECTED FOR APPOINTMENT TO THE MISSISSIPPI COMMUNITY
15 COLLEGE BOARD; TO CREATE NEW SECTION 37-4-6, MISSISSIPPI CODE OF
16 1972, TO AUTHORIZE THE BOARD TO APPOINT A COMMISSIONER OF
17 COMMUNITY COLLEGES; TO PRESCRIBE THE POWERS AND DUTIES OF THE
18 COMMISSIONER OF COMMUNITY COLLEGES, INCLUDING HIS OR HER ABILITY
19 TO HIRE NECESSARY PERSONNEL; TO AMEND SECTION 37-4-7, MISSISSIPPI
20 CODE OF 1972, TO PRESCRIBE THE POWERS AND DUTIES OF THE
21 MISSISSIPPI COMMUNITY COLLEGE BOARD; TO CREATE NEW SECTION 37-4-8,
22 MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD TO ADOPT AND HAVE
23 AN OFFICIAL SEAL IN SUCH FORM AS IT DEEMS APPROPRIATE FOR ITS
24 OFFICIAL USE; TO CREATE NEW SECTION 37-4-10, MISSISSIPPI CODE OF
25 1972, TO REQUIRE THE MISSISSIPPI COMMUNITY COLLEGE BOARD TO
26 DEVELOP A SYSTEM OF MANPOWER MANAGEMENT WHICH SHALL BE IMPLEMENTED
27 IN ALL COMMUNITY AND JUNIOR COLLEGES UNDER ITS CONTROL; TO AMEND
28 SECTION 37-4-11, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE
29 OVERSIGHT AND ACCOUNTABILITY OF THE STATE-FUNDED INDUSTRIAL
30 TRAINING PROGRAMS, POSTSECONDARY ADULT SHORT-TERM TRAINING
31 PROGRAMS AND WORKFORCE EDUCATION PROGRAMS SHALL BE ADMINISTERED BY
32 THE MISSISSIPPI COMMUNITY COLLEGE BOARD; TO CREATE NEW SECTION
33 37-4-12, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD TO
34 ESTABLISH A RESERVE FUND TO RECEIVE FUNDS FROM STATE, FEDERAL OR



35 PRIVATE SOURCES FOR THE PURPOSE OF GUARANTEEING PAYMENT OF LOANS
36 OBTAINED BY COLLEGE STUDENTS FROM PUBLIC OR PRIVATE LENDERS OR
37 BANKING INSTITUTIONS; TO CREATE NEW CODE SECTION 37-4-17,
38 MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD TO ENTER INTO
39 LONG-TERM LEASES WITH PRIVATE INDIVIDUALS OR CORPORATIONS OF ANY
40 LAND OR LAND WITH EXISTING AUXILIARY FACILITIES FOR THE PURPOSE OF
41 ERECTING OR RENOVATING, FURNISHING, MAINTAINING AND EQUIPPING
42 AUXILIARY FACILITIES THEREON FOR ACTIVE FACULTY, STAFF AND/OR
43 STUDENTS; TO CREATE NEW SECTION 37-4-19, MISSISSIPPI CODE OF 1972,
44 TO CREATE AN ADVISORY COMMITTEE TO THE MISSISSIPPI COMMUNITY
45 COLLEGE BOARD FOR THE LEASE OF THE PROPERTY ON COMMUNITY AND
46 JUNIOR COLLEGE CAMPUSES FOR THE CONSTRUCTION OF HOUSE AND
47 DORMITORY FACILITIES WITH PRIVATE FINANCE; TO CREATE NEW SECTION
48 37-4-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THE MANNER BY WHICH
49 ARCHITECTS SHALL BE SELECTED TO FULFILL THE OBLIGATIONS OF THE
50 LEASE CONTRACT FOR THE CONSTRUCTION OF SAID FACILITIES ON A
51 COMMUNITY OR JUNIOR COLLEGE CAMPUS; TO CREATE NEW CODE SECTION
52 37-4-23, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE USE OF THE
53 DESIGN-BUILD SYSTEM OF CONTRACT DELIVERY; TO CREATE NEW SECTION
54 37-4-25, MISSISSIPPI CODE OF 1972, TO PERMIT LEASEHOLDERS TO
55 PROTECT AND ENFORCE ANY AND ALL RIGHTS GRANTED UNDER THE LEASE; TO
56 CREATE NEW SECTION 37-4-27, MISSISSIPPI CODE OF 1972, TO PROVIDE
57 THAT ANY LEASES EXECUTED UNDER THE PROVISIONS OF THIS ACT SHALL BE
58 LEGAL INVESTMENTS FOR TRUSTEES AND OTHER FIDUCIARIES, AND FOR
59 BANKS, TRUST COMPANIES, AND INSURANCE COMPANIES AUTHORIZED TO DO
60 BUSINESS IN THE STATE; TO AMEND SECTION 37-101-13, MISSISSIPPI
61 CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO BRING
62 FORWARD SECTIONS 37-4-1, 37-4-5, 37-4-9, 37-4-13, 37-4-15,
63 37-29-1, 37-29-5, 37-29-31, 37-29-33, 37-29-37, 37-29-39,
64 37-29-61, 37-29-63, 37-29-65, 37-29-67, 37-29-71, 37-29-73,
65 37-29-75, 37-29-77, 37-29-79, 37-29-81, 37-29-85, 37-29-87,
66 37-29-101, 37-29-103, 37-29-105, 37-29-107, 37-29-109, 37-29-111,
67 37-29-113, 37-29-115, 37-29-117, 37-29-119, 37-29-121, 37-29-123,
68 37-29-125, 37-29-127, 37-29-131, 37-29-133, 37-29-135, 37-29-137,
69 37-29-139, 37-29-141, 37-29-143, 37-29-145, 37-29-161, 37-29-163,
70 37-29-165, 37-29-167, 37-29-169, 37-29-171, 37-29-173, 37-29-175,
71 37-29-177, 37-29-231, 37-29-232, 37-29-261, 37-29-263, 37-29-265,
72 37-29-267, 37-29-268, 37-29-269, 37-29-273, 37-29-275, 37-29-277,
73 37-29-305, 37-29-321, 37-29-401, 37-29-403, 37-29-405, 37-29-407,
74 37-29-409, 37-29-411, 37-29-413, 37-29-415, 37-29-417, 37-29-419,
75 37-29-421, 37-29-423, 37-29-425, 37-29-427, 37-29-429, 37-29-431,
76 37-29-433, 37-29-435, 37-29-437, 37-29-451, 37-29-453, 37-29-455,
77 37-29-457, 37-29-459, 37-29-461, 37-29-463, 37-29-465, 37-29-467,
78 37-29-469, 37-29-471, 37-29-501, 37-29-503, 37-29-505, 37-29-507,
79 37-29-509, 37-29-511, 37-29-513, 37-29-515, 37-29-551, 37-29-553,
80 37-29-555, 37-29-557, 37-29-559, 37-29-561, 37-29-563, 37-29-565,
81 37-29-567, 37-29-569, 37-29-571, 37-29-601, 37-29-603, 37-29-605,
82 37-29-607, 37-29-609, 37-29-611 AND 37-29-613, MISSISSIPPI CODE OF
83 1972, FOR PURPOSES OF POSSIBLE AMENDMENTS; AND FOR RELATED
84 PURPOSES.



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

SECTION 1. The following shall be codified as Section
37-4-2, Mississippi Code of 1972:

37-4-2. The following community and junior colleges shall be
under the management and control of a board of trustees to be
known as the Mississippi Community College Board, namely:

- (a) Coahoma Community College;
- (b) Copiah-Lincoln Community College;
- (c) East Central Community College;
- (d) East Mississippi Community College;
- (e) Hinds Community College;
- (f) Holmes Community College;
- (g) Itawamba Community College;
- (h) Jones Junior College;
- (i) Meridian Community College;
- (j) Mississippi Delta Community College;
- (k) Mississippi Gulf Coast Community College;
- (l) Northeast Mississippi Community College;
- (m) Northwest Mississippi Community College;
- (n) Pearl River Community College;
- (o) Southwest Mississippi Community College; and
- (p) Any other of like kind which may be hereafter
established by the state.

SECTION 2. Section 37-4-3, Mississippi Code of 1972, is
amended as follows:



37-4-3. (1) * * * There shall be a Mississippi Community College Board which shall receive and distribute funds appropriated by the Legislature for the use of the public community and junior colleges and funds from federal and other sources that are transmitted through the state governmental organization for use by said colleges. This board shall provide general coordination of the public community and junior colleges, assemble reports and such other duties as may be prescribed by law.

(2) * * *

(a) The Mississippi Community College Board * * * reconstituted as follows: Effective * * * July 1, 2026, the Governor shall appoint three (3) members from each Mississippi Supreme Court District and * * * three (3) members from the state at large, with the terms of each to begin on January 1, 2027. The members shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of * * * six (6) years, provided that * * * three (3) members shall be appointed in * * * 2027 to a term ending December 31, * * * 2029, three (3) members shall be appointed in 2027 to a term ending December 31, 2031, and * * * three (3) members shall be appointed in * * * 2027 to a term ending December 31, * * * 2033. * * * On the expiration of any of said terms of office the Governor shall appoint successors, by and with the advice and consent of the Senate, for terms of six (6) years in each case. Any question regarding the



order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Community College Board, and to the position of * * * Commissioner of Community College.

(b) The current president, or his/her designee, of each community and junior college Student Government Association shall have a reserved seat at each meeting of the Mississippi Community College. No less than once a year, the board shall seek the advice and counsel of the student body presidents.

(3) In case of a vacancy on said board by death or resignation of a member or from any other cause than the expiration of such member's term of office, the board shall elect his successor who shall hold office until the end of the next session of the Legislature. During such term of the session of the Legislature, the Governor shall appoint the successor member of the board from the district from which his predecessor was appointed to hold office until the end of the period or term for which said original trustee was appointed, to the end that one-third (1/3) of such trustees' terms shall expire each two (2) years.

(4) The Commissioner of Higher Education, or his or her designee, and one (1) member of the Board of Trustees of State



Institutions of Higher Learning, to be designated by the chairman of said board, shall attend all regular meetings of the Mississippi Community College Board. Said university representatives shall have no jurisdiction or vote on any matter within the jurisdiction of the board. The Commissioner of Higher Education and any designee who is a state employee shall receive no per diem for attending meetings of the board, but shall be entitled to actual and necessary expense reimbursement and mileage for attending meetings at locations other than Jackson, Mississippi. The designee of the Board of Trustees of State Institutions of Higher Learning shall receive per diem compensation as authorized by Section 25-3-69, Mississippi Code of 1972, for attending said meetings, and shall be entitled to reimbursement for actual expense reimbursement and mileage, which shall be paid from funds appropriated to the Mississippi Community College Board.

* * *

(5) The Mississippi Community College Board shall serve without salary compensation but shall receive a per diem and mileage as authorized by law including time of going to and returning from meetings of said board, together with actual travel and hotel expenses incident to the meetings of the board, and in the discharge of duties prescribed by the board.

(6) The board of trustees shall hold two (2) regular slated meetings annually, one (1) in June and the other in January, and



185 as many special meetings as may be necessary on call of the
186 president or on call of five (5) members. In either case, the
187 call shall be in writing and shall be mailed by registered letter
188 with return receipt requested, or by certified mail, to each and
189 every member at least five (5) days prior to the date of the
190 meeting. Eight (8) members of the board shall constitute a quorum
191 for the transaction of business.

192 **SECTION 3.** Section 37-4-4, Mississippi Code of 1972, is
193 amended as follows:

194 37-4-4. * * * There shall be appointed only men or women to
195 membership on the Mississippi Community College Board as shall be
196 qualified electors residing in the district from which each is
197 appointed and at least twenty-five (25) years of age and of the
198 highest order of intelligence, character, learning and fitness for
199 the performance of such duties to the end that such board shall
200 perform the high and honorable duties thereof to the greatest
201 advantage of the people of the state and of such college,
202 uninfluenced by any political considerations.

203 **SECTION 4.** The following shall be codified as Section
204 37-4-6, Mississippi Code of 1972:

205 37-4-6. (1) Within ten (10) days after the beginning of the
206 terms of office of its members, upon call of the Governor, the
207 Mississippi Community College Board shall meet in the City of
208 Jackson and organize by electing one (1) of its number as
209 president, whose term of office shall be for one (1) year or until



210 a successor shall be elected, and shall transact such other
211 business as may come before the meeting. When the presiding
212 officer has voted and the result is a tie, he cannot vote again to
213 break the tie.

214 (2) The board members shall have authority to appoint a
215 nonmember as Commissioner of Community Colleges, who shall possess
216 the highest qualifications as an administrator and research
217 worker. The Commissioner of Community Colleges shall maintain an
218 office and be responsible to the board for the efficient
219 functioning of the staff which the board may from time to time
220 establish. It shall be the duty of the Commissioner of Community
221 Colleges to make constant inquiry into the problems of community
222 and junior colleges, to survey and study carefully the
223 organization, management and all other affairs of each community
224 and junior college under the control of said board members and
225 local community and junior college district trustees, to make
226 report of all findings and recommend such changes as will increase
227 efficiency and economy in the operation of each community or
228 junior college, and to perform such other duties as the board may
229 prescribe. The Commissioner of Community Colleges shall be
230 responsible for compiling all laws and all rules and regulations
231 of a general nature adopted by the board for the governance of the
232 various community and junior colleges in pamphlet or loose-leaf
233 form. Current copies of such compilations shall be furnished to
234 all officials directly responsible for the carrying out of such



235 laws, rules and regulations. The expenses for such compilation
236 and publication shall be paid by the board out of any funds
237 available for the operation of said board.

238 (3) The board members shall authorize the employment of such
239 other personnel as may be required from time to time to carry out
240 the functions of the board and may assign to the personnel so
241 employed such functions and duties and may delegate to the
242 commissioner or other personnel such powers of the board as may be
243 necessary to accomplish the purposes for which the board was
244 established. All such personnel shall be employed by the
245 commissioner with the approval of the board and shall hold office
246 at the pleasure of the commissioner. The board shall also have
247 the authority to employ on a fee basis such technical and
248 professional assistance as may be necessary to carry out the
249 powers, duties and purposes of the board.

250 (4) The Commissioner of Community Colleges and other
251 personnel employed by the board shall receive reasonable salaries
252 commensurate with their duties and functions, the amount of which
253 shall be fixed by the board. The reasonable traveling expenses
254 and other authorized expenses incurred by the commissioner and
255 other personnel in the performance of their duties, together with
256 other expenses of the operation of the executive office, shall be
257 prorated and deducted from the appropriations for the current
258 expenses of the several community and junior colleges.



259 **SECTION 5.** Section 37-4-7, Mississippi Code of 1972, is
260 amended as follows:

261 37-4-7. (1) The Mississippi Community College Board shall
262 succeed to and continue to exercise control of all records, books,
263 papers, equipment, and supplies, and all lands, buildings, and
264 other real and personal property belonging to or assigned to the
265 use and benefit of the board of trustees formerly supervising and
266 controlling the community and junior colleges named in Section
267 37-4-2. The board shall have and exercise control of the use,
268 distribution and disbursement of all funds, appropriations and
269 taxes, now and hereafter in possession, levied and collected,
270 received, or appropriated for the use, benefit, support, and
271 maintenance or capital outlay expenditures of the community and
272 junior colleges, including the authorization of employees to sign
273 vouchers for the disbursement of funds for the various community
274 and junior colleges, except where otherwise specifically provided
275 by law.

276 (2) The board shall have general supervision of the affairs
277 of all the community and junior colleges, including the
278 departments and the schools thereof. The board shall have the
279 power in its discretion to determine who shall be privileged to
280 enter, to remain in, or to graduate therefrom. The board shall
281 have general supervision of the conduct of libraries and
282 laboratories, the care of dormitories, buildings, and grounds; the
283 business methods and arrangement of accounts and records; the



284 organization of the administrative plan of each institution; and
285 all other matters incident to the proper functioning of the
286 institutions. The board shall have the authority to establish
287 minimum standards of achievement as a prerequisite for entrance
288 into any of the community and junior colleges under its
289 jurisdiction, which standards need not be uniform between the
290 various community and junior colleges and which may be based upon
291 such criteria as the board may establish.

292 (3) The board shall exercise all the powers and prerogatives
293 conferred upon it under the laws establishing and providing for
294 the operation of the several community and junior colleges herein
295 specified. The board shall adopt such bylaws and regulations from
296 time to time as it deems expedient for the proper supervision and
297 control of the several community and junior colleges, insofar as
298 such bylaws and regulations are not repugnant to the Constitution
299 and laws, and not inconsistent with the object for which these
300 institutions were established. The board shall have power and
301 authority to prescribe rules and regulations for policing the
302 campuses and all buildings of the respective community and junior
303 colleges, to authorize the arrest of all persons violating on any
304 campus any criminal law of the state, and to have such law
305 violators turned over to the civil authorities.

306 (4) For all community and junior colleges specified herein,
307 the board shall provide a uniform system of recording and of
308 accounting approved by the State Department of Audit. The board



shall annually prepare, or cause to be prepared, a budget for each community and junior colleges for the succeeding year which must be prepared and in readiness for at least thirty (30) days before the convening of the regular session of the Legislature. All relationships and negotiations between the State Legislature and its various committees and the community and junior colleges named herein shall be carried on through the board members. No official, employee or agent representing any of the separate community and junior colleges shall appear before the Legislature or any committee thereof except upon the written order of the board or upon the request of the Legislature or a committee thereof.

(5) For all community and junior colleges specified herein, the board shall prepare an annual report to the Legislature setting forth the disbursements of all monies appropriated to the respective community and junior colleges. Each report to the Legislature shall show how the money appropriated to the several community and junior colleges has been expended, beginning and ending with the fiscal years of the community and junior colleges, showing the name of each teacher, officer, and employee, and the salary paid each, and an itemized statement of each and every item of receipts and expenditures. Each report must be balanced, and must begin with the former balance. If any property belonging to the state or the community or junior college is used for profit, the reports shall show the expense incurred in managing the



property and the amount received therefrom. The reports shall also show a summary of the gross receipts and gross disbursements for each year and shall show the money on hand at the beginning of the fiscal period of the community or junior college next preceding each session of the Legislature and the necessary amount of expense to be incurred from said date to January 1 following. The board shall keep the annual expenditures of each community and junior college herein mentioned within the income derived from legislative appropriations and other sources, but in case of emergency arising from acts of providence, epidemics, fire or storm with the written approval of the Governor and by written consent of a majority of the senators and of the representatives it may exceed the income. The board shall require a surety bond in a surety company authorized to do business in this state of every employee who is the custodian of funds belonging to one or more of the community and junior colleges mentioned herein, which bond shall be in a sum to be fixed by the board in an amount that will properly safeguard the said funds, the premium for which shall be paid out of the funds appropriated for said community and junior colleges.

(6) The board shall have the power and authority to approve the appointment of the heads of the various community and junior colleges upon the recommendation of such by the boards of trustees of each community and junior college, and to contract with all deans, professors, and other members of the teaching staff, and



all administrative employees of said community and junior colleges
for a term not exceeding four (4) years. The board shall have the
power and authority to terminate any such contract at any time for
malfeasance, inefficiency, or contumacious conduct, but never for
political reasons. It shall be the policy of the board to permit
the executive head of each community or junior college to nominate
for election by the board all subordinate employees of the
community or junior college over which he or she presides. It
shall be the policy of the board to elect all officials for a
definite tenure of service and to reelect during the period of
satisfactory service. The board shall have the power to make any
adjustments it thinks necessary between the various departments
and schools of any community or junior college or between the
different community and junior colleges.

(7) The board shall keep complete minutes and records of all
proceedings which shall be open for inspection by any citizen of
the state.

(8) The board shall have the power to enter into an energy
performance contract, energy services contract, on a
shared-savings, lease or lease-purchase basis, for energy
efficiency services and/or equipment as prescribed in Section
31-7-14.

(9) In connection with any international contract between
the board or one (1) of the community and junior colleges and any
party outside of the United States, the board or community or



junior college that is the party to the international contract is
hereby authorized and empowered to include in the contract a
provision for the resolution by arbitration of any controversy
between the parties to the contract relating to such contract or
the failure or refusal to perform any part of the contract. Such
provision shall be valid, enforceable and irrevocable without
regard to the justiciable character of the controversy. Provided,
however, that in the event either party to such contract initiates
litigation against the other with respect to the contract, the
arbitration provision shall be deemed waived unless asserted as a
defense on or before the responding party is required to answer
such litigation.

(10) The Mississippi Community College Board, on behalf of
any community or junior college under its jurisdiction, shall
purchase and maintain business property insurance and business
personal property insurance on all college-owned buildings and/or
contents as required by federal law and regulations of the Federal
Emergency Management Agency (FEMA) as is necessary for receiving
public assistance or reimbursement for repair, reconstruction,
replacement or other damage to those buildings and/or contents
caused by the Hurricane Katrina Disaster of 2005 or subsequent
disasters. The board is authorized to expend funds from any
available source for the purpose of obtaining and maintaining that
property insurance. The board is authorized to enter into
agreements with the Department of Finance and Administration,



local school districts, community/junior college districts, Board of Trustees of State Institutions of Higher Learning, community hospitals and/or other state agencies to pool their liabilities to participate in a group business property and/or business personal property insurance program, subject to uniform rules and regulations as may be adopted by the Department of Finance and Administration.

(11) The Mississippi Community College Board, or its designee, may approve the payment or reimbursement of reasonable travel expenses incurred by candidates for open positions at the board's executive office or at any of the community and junior colleges, when the job candidate has incurred expenses in traveling to a job interview at the request of the board, the Commissioner of Community Colleges or a community or junior college administrator.

(12) (a) The Mississippi Community College Board is authorized to administer and approve contracts for the construction and maintenance of buildings and other facilities of the state institutions of higher learning, including related contracts for architectural and engineering services, which are paid for with self-generated funds.

(b) Additionally, the board is authorized to oversee, administer and approve contracts for the construction and maintenance of buildings and other facilities of community and junior colleges, including related contracts for architectural and



engineering services, which are funded, in whole or in part, by
general obligation bonds of the State of Mississippi at
institutions designated annually by the board as being capable to
procure and administer all such contracts. Prior to the
disbursement of funds, an agreement for each project between the
community or junior college and the Department of Finance and
Administration shall be executed. The approval and execution of
the agreement shall not be withheld by either party unless the
withholding party provides a written, detailed explanation of the
basis for withholding to the other party. The agreement shall
stipulate the responsibilities of each party, applicable
procurement regulations, documentation and reporting requirements,
conditions prior to, and schedule of, disbursement of general
obligation bond funds to the community or junior college and
provisions concerning handling any remaining general obligation
bonds at the completion of the project. The agreement shall not
include provisions that constitute additional qualifications or
criteria that act to invalidate the designation of a community or
junior college as capable of procuring and administering such
project. Inclusion of any such provisions may be appealed to the
Public Procurement Review Board.

(13) Additionally, the Mississippi Community College Board
shall:

(a) Approve new, changes to and deletions of vocational
and technical programs to the various colleges;



459 (b) Require community and junior colleges to supply
460 such information as the board may request and compile, publish and
461 make available such reports based thereon as the board may deem
462 advisable;

463 (c) Approve proposed new attendance centers (campus
464 locations) as the local community and junior college boards of
465 trustees should determine to be in the best interest of the
466 district. However, no new community or junior college branch
467 campus shall be approved without an authorizing act of the
468 Legislature;

469 (d) Serve as the state approving agency for federal
470 funds for proposed contracts to borrow money for the purpose of
471 acquiring land, erecting, repairing, et seq., dormitories,
472 dwelling or apartments for students and/or faculty, such loans to
473 be paid from revenue produced by such facilities as requested by
474 local boards of trustees;

475 (e) Approve:

476 (i) Applications from community and junior
477 colleges for state funds for vocational technical education
478 facilities; and

479 (ii) Any university branch campus offering lower
480 undergraduate level courses for credit;

481 (f) Appoint members to the Post Secondary Educational
482 Assistance Board and to the Authority for Educational Television;



483 (g) Contract with other boards, commissions,
484 governmental entities, foundations, corporations or individuals
485 for programs, services, grants and awards when such are needed for
486 the operation and development of the state public community and
487 junior college system;

488 (h) Have sign off approval on the State Plan for
489 Vocational Education which is developed in cooperation with
490 appropriate units of the State Department of Education; and

491 (i) Approve or disapprove of any proposed inclusion
492 within municipal corporate limits of state-owned buildings and
493 grounds of any community college or junior college and to approve
494 or disapprove of land use development, zoning requirements,
495 building codes and delivery of governmental services applicable to
496 state-owned buildings and grounds of any community college or
497 junior college. Any agreement by a local board of trustees of a
498 community college or junior college to annexation of state-owned
499 property or other conditions described in this paragraph shall be
500 void unless approved by the board and by the board of supervisors
501 of the county in which the state-owned property is located.

502 (14) The Mississippi Community College Board shall require
503 all on-campus faculty and staff employed by, and all students
504 attending, any of the community and junior colleges identified in
505 Section 37-4-2 to be issued an identification badge in physical or
506 electronic format. Any identification card issued or renewed
507 pursuant to this section, whether physical or in an electronic



format, shall include the words "Crisis Lifeline-Dial or Text 988,
or chat 988lifeline.org" or like language for formatting purposes.

(15) The Mississippi Community College Board shall study the
feasibility of developing and implementing a state adopted uniform
contract within each community and junior college district. Such
study shall include, but not be limited to, the following areas
for consideration:

- (a) Terms of employment;
- (b) Salary schedules;
- (c) Leave provisions;
- (d) Health insurance benefits;
- (e) Tenure; and
- (f) Retirement benefits.

SECTION 6. The following shall be codified as Section
37-4-8, Mississippi Code of 1972:

37-4-8. The Mississippi Community College Board is hereby
authorized and empowered, in its discretion, to adopt and have an
official seal in such form as it deems appropriate for its
official use.

SECTION 7. The following shall be codified as Section
37-4-10, Mississippi Code of 1972:

37-4-10. The Mississippi Community College Board shall
develop a system of manpower management which shall be implemented
in all community and junior colleges under the control of the
board. The manpower management system shall be so designed to



ensure accurate and rapid reporting of all manpower positions within each institution by job classification to include position number and title, grade, salary and fringe benefits, name of incumbent, social security number and date of hire.

SECTION 8. Section 37-4-11, Mississippi Code of 1972, is amended as follows:

37-4-11. (1) The purpose of this section is to ensure the uniform management, oversight and accountability of the state-funded Industrial Training Programs, * * * postsecondary Adult Short-Term Training Programs and Workforce Education Programs administered by the Mississippi Community College Board for adults provided to the citizens of Mississippi.

(2) * * * All state-funded Industrial Training Programs and postsecondary Adult Short-term Training Programs * * * shall be * * * administered by the Workforce Education Program of the Mississippi Community College Board. The Legislature shall appropriate annually to the Mississippi Community College Board funds necessary to administer these programs.

(3) * * * All funds, unexpended balances, assets, liabilities and property * * * used in the delivery of postsecondary Adult Short-term Training Programs and Industrial Training Programs * * * shall be transferred to the Workforce Education Program funds of the Mississippi Community College Board. The State Department of Education also shall transfer to the Mississippi Community College Board all positions and funds



employed by the State Department of Education and community colleges which render industrial training, postsecondary adult short-term training or workforce education services * * *. Any funds available to the State Department of Education for Industrial Training Programs and state-funded postsecondary Adult Short-term Training Programs which are subject to carryover shall be transferred to the Work Force Carryover Fund established by Chapter 498, Laws of 1995, for use by the Mississippi Community College Board * * *.

(4) The Mississippi Community College Board shall develop an accountability system that shall report and describe all classes taught in the area of workforce education, the number of persons taught in these classes, and the location and cost of each class taught. To assess the impact of these programs, the Mississippi Community College Board also shall report:

(a) Whether the needs of industry have been met through training program offerings;

(b) Any changes in the income of trainees between the completion of training and the date of the report;

(c) The number of jobs created and the number of jobs retained through the programs; and

(d) Trainee success in passing proficiency tests, where applicable.



581 This information shall be reported on a fiscal year basis and
582 shall be provided to the House and Senate Education Committees
583 before December 15 of each year.

584 **SECTION 9.** The following shall be codified as Section
585 37-4-12, Mississippi Code of 1972:

586 37-4-12. In addition to the powers vested in the Mississippi
587 Community College Board by this chapter, the board is hereby
588 authorized to establish a reserve fund to receive funds from
589 state, federal or private sources for the purpose of guaranteeing
590 payment of loans obtained by college students from public or
591 private lenders or banking institutions. The board is authorized
592 and empowered to do and perform all the necessary and requisite
593 acts and deeds necessary to carry out the provisions of this
594 section.

595 **SECTION 10.** The following shall be codified as Section
596 37-4-17, Mississippi Code of 1972:

597 37-4-17. (1) (a) Except as otherwise provided in paragraph
598 (b) of this section, and subject to the provisions of Section
599 37-4-19, the Mississippi Community College Board is authorized and
600 empowered to lease to private individuals or corporations for a
601 term not exceeding thirty-five (35) years any land or land with
602 existing auxiliary facilities at any of the following community
603 and junior colleges: Coahoma Community College, Copiah-Lincoln
604 Community College, East Central Community College, East
605 Mississippi Community College, Hinds Community College, Holmes



606 Community College, Itawamba Community College, Jones Junior
607 College, Meridian Community College, Mississippi Delta Community
608 College, Mississippi Gulf Coast Community College,
609 Northeast Mississippi Community College, Northwest Mississippi
610 Community College, Pearl River Community College and Southwest
611 Mississippi Community College, for the purpose of erecting or
612 renovating, furnishing, maintaining and equipping auxiliary
613 facilities thereon for active faculty, staff and/or students. The
614 auxiliary facilities shall be constructed or renovated, and may be
615 furnished, maintained and equipped thereon by private financing,
616 and may be leased back to the board for use by the concerned
617 community or junior college. The lease shall contain a provision
618 permitting the board to purchase the building located thereon,
619 including any furnishings and equipment therein, for the sum of
620 One Dollar (\$1.00) after payment by the board of all sums of money
621 due under said lease.

622 (b) The Mississippi Community College Board may grant
623 authority to community and junior colleges to lease to private
624 individuals or corporations for a period not exceeding thirty-five
625 (35) years, any land or land with existing auxiliary facilities at
626 the community or junior college, for the purpose of erecting or
627 renovating, furnishing, maintaining and equipping auxiliary
628 facilities thereon for active faculty, staff and/or students. The
629 auxiliary facilities shall be constructed or renovated, and may be
630 furnished, maintained and equipped thereon by private financing,



631 and may be leased back to the board for use by the community or
632 junior college. The lease shall contain a provision permitting
633 the board to purchase the auxiliary facilities located thereon,
634 including any furnishings and equipment therein, for the sum of
635 One Dollar (\$1.00) after payment by the board of all sums of money
636 due under the lease.

637 (2) Upon there being an agreement reached between the
638 Mississippi Community College Board and a community or junior
639 college upon whose land the auxiliary facility will be constructed
640 or renovated and a private individual(s) or corporation(s) to
641 enter into such lease agreement as described in subsection (1), it
642 shall be stipulated in the agreement that all newly constructed or
643 renovated auxiliary facilities shall be in compliance with the
644 minimum building code standards employed by the state as required
645 under Section 31-11-33.

646 (3) The board, in conjunction with the community or junior
647 college, shall have sole discretion to decide the placement of new
648 auxiliary facilities upon the college's campus. However, the
649 scope of any such construction or renovation by private entities
650 shall be limited to two (2) leases entered into pursuant to this
651 Section 37-4-17 per year for each community or junior college, and
652 shall not exceed in the aggregate twenty-five percent (25%) of the
653 college's total main campus or satellite campus property under the
654 original lease period. In addition, the scope of any such



renovation by private entities shall be limited to one (1) project per fiscal year for each community or junior college.

(4) No contractual lease agreement for the construction or renovation, furnishing, maintaining and equipping of privately financed auxiliary facilities shall be entered into by a community or junior college without prior approval of the Mississippi Community College Board. An auxiliary facility is a facility that is described by the current Postsecondary Education Facilities Inventory and Classification Manual (FICM) as within categories 500/600/700/800/900.

Before entering into contractual lease agreements for the construction or renovation, furnishing, maintaining and equipping of privately financed auxiliary facilities, the board shall establish rules and procedures to ensure adequate public advertisement of any requirement for the construction or renovation, furnishing, maintaining and equipping of privately financed auxiliary facilities at a university in order to promote full and open competition and which set forth the requirements for evaluation of offers and award of the contract lease agreement to the private entity.

(5) In addition to the above stated authority, the community or junior college, with the permission of the board, is authorized to enter into such marketing, support, management, operating, cooperating or other similar agreements as the college and board may deem advisable or prudent in connection with the ongoing



680 operations of such auxiliary facilities for a period not to exceed
681 the term of the lease relating to such auxiliary facilities.

682 **SECTION 11.** The following shall be codified as Section
683 37-4-19, Mississippi Code of 1972:

684 37-4-19. There is created an advisory committee to the
685 Mississippi Community College Board for the lease of the property
686 described in Sections 37-4-17, 37-4-21 and 37-4-23, which shall be
687 composed of the following members:

688 (a) The respective Chairmen of the Public Property
689 Committees of the House of Representatives and the Senate;

690 (b) The respective Chairmen of the Universities and
691 Colleges Committees of the House of Representatives and the
692 Senate;

693 (c) One (1) member of the House of Representatives, to
694 be appointed by the Speaker of the House; and

695 (d) One (1) member of the Senate, to be appointed by the
696 Lieutenant Governor.

697 (2) Before selecting the private developer to which to lease
698 the property described in Sections 37-4-17, 37-4-21 and 37-4-23,
699 and while negotiating the terms of the lease with the private
700 developer that has been selected, the Mississippi Community
701 College Board shall consult with the advisory committee and
702 consider any suggestions and recommendations made by the advisory
703 committee regarding the lease of the property.



SECTION 12. The following shall be codified as Section
37-4-21, Mississippi Code of 1972:

37-4-21. (1) (a) Except as otherwise provided in Section
37-4-23, and subject to the provisions of Section 37-4-19, before
entering into or awarding any such lease contract under the
provisions of Section 37-4-17, the Mississippi Community College
Board of Trustees shall cause the interested community or junior
college upon which a facility is proposed to be constructed or
renovated to select and submit three (3) architects to the board.
Thereupon, the board shall approve and employ an architect, who
shall be paid by the interested community or junior college from
any funds available to the interested community or junior college.
The architect, under the direction of the interested community or
junior, shall prepare complete plans and specifications for the
facility or facilities desired to be constructed or renovated on
the leased property.

(b) Upon completion of the plans and specifications and
the approval thereof by the board, and before entering into any
lease contract, the board shall cause to be published once a week
for at least three (3) consecutive weeks and not less than
twenty-one (21) days in at least one (1) newspaper having a
general circulation in the counties in which the interested
community or junior college district is located and in one (1)
newspaper with a general statewide circulation, a notice inviting
bids or proposals for the leasing, construction or renovation,



729 including the furnishing, maintaining and equipping, if
730 applicable, and leasing back, if applicable, of the land and
731 constructed or renovated facility, including any applicable
732 furnishings or equipment, of the facility to be constructed or
733 renovated in accordance with the plans and specifications. The
734 notice shall distinctly state the thing to be done, and invite
735 sealed proposals, to be filed with the board, to do the thing to
736 be done. The notice shall contain the following specific
737 provisions, together with such others as the board in its
738 discretion deems appropriate, to wit: bids shall be accompanied by
739 a bid security evidenced by a certified or cashier's check or
740 bid-bond payable to the board in a sum of not less than five
741 percent (5%) of the gross construction cost of the facility to be
742 constructed as estimated by the board and the bids shall contain
743 proof satisfactory to the board of interim and permanent
744 financing. The board shall state in the notice when construction
745 shall commence. The bid shall contain the proposed contractor's
746 certificate of responsibility number and bidder's license. In all
747 cases, before the notice shall be published, the plans and
748 specifications shall be filed with the board and also in the
749 office of the president of the interested institution, there to
750 remain.

751 (c) The board shall award the lease contract to the
752 lowest and best bidder, who will comply with the terms imposed by
753 the contract documents. At the time of the awarding of the lease



754 contract the successful bidder shall enter into bond with
755 sufficient sureties, to be approved by the board, in such penalty
756 as may be fixed by the board, but in no case to be less than the
757 estimated gross construction or renovation cost of the facility to
758 be constructed or renovated as estimated by the board, conditioned
759 for the prompt, proper and efficient performance of the contract.
760 The bond shall be made by an authorized corporate surety bonding
761 company. The bid security herein provided for shall be forfeited
762 if the successful bidder fails to enter into lease contract and
763 commence construction or renovation within the time limitation set
764 forth in the notice. At such time, and simultaneously with the
765 signing of the contract, the successful bidder shall deposit a sum
766 of money, in cash or certified or cashier's check, not less than
767 the bid security previously deposited as bid security to reimburse
768 the interested community or junior college for all sums expended
769 by it for architectural services and other expenditures of the
770 board and interested community or junior college connected with
771 the bidden lease contract, of which such other anticipated
772 expenditures notice is to be given to bidder in the notice. The
773 bid security posted by an unsuccessful bidder shall be refunded to
774 him or her.

775 (2) Under the authority granted under Section 37-4-23, the
776 requirements of subsection (1) of this section shall not apply to
777 the Mississippi Community College Board's power to grant to
778 community and junior colleges the authority to contract with a



single entity for privately financed design and construction or renovation, and if applicable, the furnishing, maintaining and equipping of facilities on university campuses, and if applicable, the furnishing, maintenance and equipping of facilities on college campuses.

SECTION 13. The following shall be codified as Section 37-4-23, Mississippi Code of 1972:

37-4-23. (1) In lieu of exercising the authority set forth in Section 37-4-21 and before entering into or awarding any lease under Section 37-4-17, the Mississippi Community College Board, subject to the provisions of Section 37-4-19, may award contracts to a single entity for privately financed design and construction or renovation of facilities on community and junior college campuses, as well as for maintaining, furnishing and equipping of such facilities, if the entities receiving the contract or contracts and those entities to which work or services are subcontracted are duly licensed and qualified in the state to perform the contract or contracts. State General Fund appropriations or bonds backed by the state may not be used to finance the construction or maintenance of any such facility.

(2) The design-build delivery system described under subsection (1) of this section shall be administered pursuant to Section 31-7-13.1 and may be authorized only when the board makes a determination, entered on its minutes, with specific findings



for the project demonstrating how it is in the best interest of the public to enter into a design-build contract.

SECTION 14. The following shall be codified as Section 37-4-25, Mississippi Code of 1972:

37-4-25. Any holder of lease rights arising under the provisions of Section 37-101-17, either at law or in equity, by suit, action, or other proceeding, may protect and enforce any and all rights granted thereunder, or under the resolution pursuant to which such lease was signed, or under said lease, and may enforce and compel performance of all duties required by said section to be performed, in order to provide for the payment of the lease obligations set out in said lease.

SECTION 15. The following shall be codified as Section 37-4-27, Mississippi Code of 1972:

37-4-27. Any leases executed under the provisions of Section 37-4-17 shall be legal investments for trustees and other fiduciaries, and for banks, trust companies, and insurance companies authorized to do business in the State of Mississippi.

SECTION 16. Section 37-101-13, Mississippi Code of 1972, is amended as follows:

37-101-13. It shall be the duty of the Board of Trustees of State Institutions of Higher Learning and the * * * Mississippi Community College Board to begin immediately a comprehensive study of gaming and related programs, degrees and courses offered. Following the completion of such study, the board shall make such



828 adjustments as may be found to be necessary in the programs of the
829 various institutions, to the end that the broadest possible
830 educational opportunities shall be offered to the citizens of this
831 state without inefficient and needless duplication. Subject to
832 the provisions of Section 75-76-34, the boards shall, through such
833 officers of the boards and through such procedures as it shall see
834 fit to establish, exercise continuing jurisdiction and control
835 over the establishment of new courses of study, new departments
836 and new functions and activities in each institution and each
837 community and junior college under their respective purview so
838 that the growth and development of the program of * * *
839 postsecondary education in the state shall proceed in an orderly
840 and rational manner, inefficient and needless duplication may be
841 avoided, and new expanded programs will be undertaken only as the
842 same may become justified, based upon objective criteria to be
843 established by the boards. In carrying out the purposes of this
844 section, particular attention shall be given to the extension
845 programs of the various institutions and community and junior
846 colleges. The boards, in conjunction with the chancellor and
847 presidents of the institutions and community and junior colleges,
848 shall take such steps as may be necessary to improve and
849 coordinate such programs and shall exercise such direct control
850 over the establishment, organization, operation and granting of
851 credit for such programs as may be necessary to accomplish such
852 purposes.



853 **SECTION 17.** Section 37-4-1, Mississippi Code of 1972, is
854 brought forward as follows:

855 37-4-1. The Legislature finds and determines that the
856 social, cultural and economic well-being of the people of
857 Mississippi, and hence the state, are enhanced by various
858 educational experiences beyond the elementary and secondary school
859 years. The Legislature hereby provides a means for the
860 continuation of a system of community and junior colleges and
861 declares the following to be the policy of the State of
862 Mississippi:

863 (a) The general purpose of the community and junior
864 colleges is to provide educational services for the people of its
865 geographic area within the legal structure of the comprehensive
866 community college. These services include the teaching and
867 guiding of students who intend to transfer to senior colleges to
868 pursue an academic degree and the teaching and guiding of
869 career-oriented students in academic, technical and vocational
870 programs. These services also include providing opportunities for
871 continuing education in academic, technical, vocational and adult
872 education, and providing leadership in civic, economic and
873 cultural growth.

874 (b) Different geographic regions of the state have
875 differing needs for human development.

876 (c) Local governance of the public community and junior
877 colleges is an effective and efficient means of meeting the



diverse local needs, as well as those needs and priorities established by the state.

(d) All post-high school youth and adults who have the motivation and ability to benefit from additional educational services and experiences should be provided such an opportunity.

(e) Community and junior colleges should provide quality instructional activities that are accessible geographically and financially to the people of the state, within the resources available for this purpose.

(f) Instructional activities should be related to the needs of the individual, region and state, and should be available throughout one's life regardless of prior educational experiences or attainment.

(g) An appropriate relationship between local district and state financial support of community and junior colleges shall be established.

(h) Coordination between public schools, community and junior colleges and universities shall complement the educational goals and attainments of individuals and the state.

(i) The Associate Degree should be a definitive and accepted higher educational degree, recognized for transfer to four-year institutions and for employment and promotion in business and industry.

(j) The community and junior colleges shall be the presumptive deliverers of public post-secondary training designed



to meet the needs of individuals, business and state development objectives. This includes, but is not limited to, post-secondary training conducted under federal and state vocational and technical acts.

(k) Community and junior colleges shall be considered agencies of local government rather than agencies of the state.

SECTION 18. Section 37-4-5, Mississippi Code of 1972, is brought forward as follows:

37-4-5. (1) The terms "Junior College Commission" and "State Board for Community and Junior Colleges," whenever they appear in the laws of the State of Mississippi, mean the "Mississippi Community College Board."

(2) The term "High School Equivalency Diploma," whenever it appears in the laws of the State of Mississippi, means a high school diploma that has been approved by the Mississippi Community College Board.

(3) The terms "general educational development," "general education development" and "GED," whenever they appear in the laws of the State of Mississippi, mean a high school equivalency diploma as defined in subsection (2) of this section.

SECTION 19. Section 37-4-9, Mississippi Code of 1972, is brought forward as follows:

37-4-9. The Mississippi Community College Board is authorized to receive income from voluntary fees, contributions, donations, other forms of financial assistance, materials or



928 manpower from persons, corporations, organizations and other
929 sources, private or public, to be utilized and expended by the
930 board in carrying out the incentive certification program mandated
931 by the Work Force and Education Act of 1994 in Sections 37-151-63
932 through 37-151-75 and 37-153-1 through 37-153-13. Additionally,
933 awards or scholarships to industry or to students or both are
934 authorized.

935 **SECTION 20.** Section 37-4-13, Mississippi Code of 1972, is
936 brought forward as follows:

937 37-4-13. (1) In negotiating commitments under the
938 Industrial Training Programs with industries seeking to locate or
939 expand in Mississippi, the Mississippi Community College Board may
940 enter into multi-year agreements for such training programs
941 subject to the availability of funds appropriated therefor.

942 (2) The Mississippi Community College Board shall file a
943 report with the Secretary of the Senate and the Clerk of the House
944 of Representatives listing the commitments that are made pursuant
945 to subsection (1) of this section.

946 **SECTION 21.** Section 37-4-15, Mississippi Code of 1972, is
947 brought forward as follows:

948 37-4-15. (1) On or after July 1, 2002, the Mississippi
949 Community College Board shall contract with a competent management
950 consulting or accounting firm to study the state funding formula
951 for community and junior colleges. The study shall accomplish the
952 following specific outcomes:



953 (a) Evaluate the validity of the current student
954 classifications used in the funding formula and make
955 recommendations for change in the classification system if
956 advisable;

957 (b) Evaluate the weights assigned to each student
958 classification and make recommendations for change in the current
959 weights if advisable;

960 (c) Identify the best management practices associated
961 with the production of graduates in each of the student
962 classifications and use such information as a basis for validating
963 any changes in weights referred to in paragraph (b) of this
964 subsection. The study of best practices shall also identify the
965 amount of state funding that is used in program areas at schools
966 exhibiting the best management practices.

967 (2) The report also shall recommend to the Mississippi
968 Community College Board all reporting requirements and systems
969 needed to collect information necessary to maintain a valid system
970 of weights, student classification and the best practices
971 associated with producing graduates most efficiently. All
972 community and junior colleges shall cooperate with the Mississippi
973 Community College Board in conducting this study and in providing
974 all further information on an annual basis necessary to update the
975 weights for programs established as a result of this study, the
976 best management practices and the student classifications
977 established as a result of this study.



978 (3) The Mississippi Community College Board shall report its
979 findings to the Chairs of the House and Senate Education
980 Committees and the House and Senate Appropriations Committees no
981 later than December 15, 2002.

982 **SECTION 22.** Section 37-29-1, Mississippi Code of 1972, is
983 brought forward as follows:

984 37-29-1. (1) The creation, establishment, maintenance and
985 operation of community colleges is authorized. Community colleges
986 may admit students if they have earned one (1) unit less than the
987 number of units required for high school graduation established by
988 State Board of Education policy or have earned a High School
989 Equivalency Diploma in courses correlated to those of senior
990 colleges or professional schools. Subject to the provisions of
991 Section 75-76-34, they shall offer, without limitation, education
992 and training preparatory for occupations such as agriculture,
993 industry of all kinds, business, homemaking and for other
994 occupations on the semiprofessional and vocational-technical
995 level. They may offer courses and services to students regardless
996 of their previous educational attainment or further academic
997 plans.

998 (2) The boards of trustees of the community college
999 districts are authorized to establish an early admission program
1000 under which applicants having a minimum ACT composite score of
1001 twenty-six (26) or the equivalent SAT score may be admitted as
1002 full-time college students if the principal or guidance counselor



of the student recommends in writing that it is in the best educational interest of the student. Such recommendation shall also state that the student's age will not keep him from being a successful full-time college student. Students admitted in the early admission program shall not be counted for total funding formula purposes in the net enrollment of the school district in which they reside, and transportation required by a student to participate in the early admission program shall be the responsibility of the parents or legal guardians of the student. Grades and college credits earned by students admitted to the early admission program shall be recorded on the college transcript at the community college where the student attends classes, and may be released to another institution or used for college graduation requirements only after the student has successfully completed one (1) full semester of course work.

(3) The community colleges shall provide, through courses or other acceptable educational measures, the general education necessary to individuals and groups which will tend to make them capable of living satisfactory lives consistent with the ideals of a democratic society.

SECTION 23. Section 37-29-5, Mississippi Code of 1972, is brought forward as follows:

37-29-5. Title to lands may be acquired and buildings and other improvements may be erected thereon for the use and benefit of junior colleges. Title to all such property hereafter acquired



1028 shall be vested in the board of trustees and the trustees'
1029 successors in office.

1030 Any board of supervisors or board of trustees of any
1031 municipal separate school district which presently holds title to
1032 the lands, buildings, and improvements of a junior college may
1033 convey title to same to the board of trustees and their successors
1034 in office of such junior college pursuant to a resolution of such
1035 board of supervisors or board of trustees of a municipal separate
1036 school district, duly adopted and spread on the minutes of said
1037 board of supervisors.

1038 **SECTION 24.** Section 37-29-31, Mississippi Code of 1972, is
1039 brought forward as follows:

1040 37-29-31. There are hereby created the following junior
1041 college districts comprising the entire counties therein named and
1042 having boundaries coinciding with the external boundaries thereof,
1043 each of which shall be separate juristic entities and bodies
1044 politic and corporate:

1045 (a) East Central Junior College District shall be
1046 comprised of the counties of Leake, Neshoba, Newton, Scott and
1047 Winston.

1048 (b) East Mississippi Junior College District shall be
1049 comprised of the counties of Clay, Kemper, Lauderdale, Lowndes,
1050 Noxubee and Oktibbeha.

1051 (c) Hinds Junior College District shall be comprised of
1052 the counties of Hinds, Rankin, Warren and Claiborne.



1053 (d) Holmes Junior College District shall be comprised
1054 of the counties of Attala, Carroll, Choctaw, Grenada, Holmes,
1055 Madison, Montgomery, Webster and Yazoo.

1056 (e) Itawamba Junior College District shall be comprised
1057 of the counties of Chickasaw, Itawamba, Lee, Monroe and Pontotoc.

1058 (f) Jones County Junior College District shall be
1059 comprised of the counties of Clarke, Covington, Greene, Jasper,
1060 Jones, Perry, Smith and Wayne.

1061 (g) Mississippi Delta Junior College District shall be
1062 comprised of the counties of Bolivar, Humphreys, Issaquena,
1063 Leflore, Sharkey, Sunflower and Washington.

1064 (h) Northeast Junior College District shall be
1065 comprised of the counties of Alcorn, Prentiss, Tippah, Tishomingo
1066 and Union.

1067 (i) Northwest Junior College District shall be
1068 comprised of the counties of Benton, Calhoun, DeSoto, Lafayette,
1069 Marshall, Panola, Quitman, Tallahatchie, Tate, Tunica and
1070 Yalobusha.

1071 (j) Pearl River Junior College District shall be
1072 comprised of the counties of Forrest, Hancock, Jefferson Davis,
1073 Lamar, Marion and Pearl River.

1074 (k) Southwest Junior College District shall be
1075 comprised of the counties of Amite, Pike, Walthall and Wilkinson.

1076 **SECTION 25.** Section 37-29-33, Mississippi Code of 1972, is
1077 brought forward as follows:



1078 37-29-33. Except as otherwise provided in Sections 37-29-1
1079 through 37-29-273, all of the property belonging to the board of
1080 trustees of any existing junior college and all of the property
1081 belonging to any or all of the counties cooperating, as of July 1,
1082 1964, in the existing junior colleges or the agricultural high
1083 schools and junior colleges located at the existing campuses and
1084 utilized or held for the present or future use and benefit of such
1085 junior colleges and/or agricultural high schools and junior
1086 colleges, shall be and the same is hereby transferred to and
1087 vested in the boards of trustees of the junior college districts
1088 created in Section 37-29-31.

1089 **SECTION 26.** Section 37-29-37, Mississippi Code of 1972, is
1090 brought forward as follows:

1091 37-29-37. (1) Notwithstanding the provisions of Sections
1092 37-29-1 through 37-29-273 to the contrary, any existing publicly
1093 operated junior college, lying in and operated by a county
1094 bordering on the Mississippi River, may, in the discretion of the
1095 board of supervisors of such county, continue to operate said
1096 college under such terms and conditions as said board may deem
1097 necessary and requisite in the premises. The governing
1098 authorities of other counties and municipalities are authorized
1099 and empowered, in the discretion of said governing bodies, to
1100 appropriate funds for the support of said junior college.

1101 (2) The provisions of the preceding subsection shall not
1102 impair nor abrogate the aforesaid county's obligations, duties,



1103 powers, and rights as a member county of the junior college
1104 district to which it is made a part by Section 37-29-31.

1105 (3) All of the property and facilities of any existing
1106 junior college located outside of the boundaries of the county
1107 owning and operating the same shall be and the same are hereby
1108 transferred to and vested in the board of trustees of the junior
1109 college district in which said county owning and operating said
1110 junior college is situated, and the board of trustees of said
1111 junior college district is authorized to continue the operation of
1112 said college under such terms and conditions as such board may
1113 deem necessary and requisite.

1114 The governing authorities of other counties and
1115 municipalities lying outside of such junior college district are
1116 authorized and empowered, in the discretion of their governing
1117 bodies, to levy taxes and to appropriate funds for the support of
1118 such junior college.

1119 **SECTION 27.** Section 37-29-39, Mississippi Code of 1972, is
1120 brought forward as follows:

1121 37-29-39. It is expressly provided that nothing in Sections
1122 37-29-1 through 37-29-273 shall be construed as affecting a junior
1123 college district heretofore established under authority of
1124 Sections 37-29-401 through 37-29-437.

1125 **SECTION 28.** Section 37-29-61, Mississippi Code of 1972, is
1126 brought forward as follows:



1127 37-29-61. The executive head of a junior college shall be
1128 the president of the college who shall be selected by the board of
1129 trustees for a term not to exceed four years

1130 **SECTION 29.** Section 37-29-63, Mississippi Code of 1972, is
1131 brought forward as follows:

1132 37-29-63. (1) The president of any community college, or
1133 such other person designated or authorized by the board of
1134 trustees, shall have the power to recommend to the board of
1135 trustees all teachers to be employed in the district.

1136 (2) The president may remove or suspend any member of the
1137 faculty subject to the approval of the trustees. He shall be the
1138 general manager of all fiscal and administrative affairs of the
1139 district with full authority to select, direct, employ and
1140 discharge any and all employees other than teachers; however, the
1141 board may make provisions and establish policies for leave for
1142 faculty members and other key personnel.

1143 (3) The president shall have the authority, subject to the
1144 provisions of Section 75-76-34 and Sections 37-29-1 through
1145 37-29-273 and the approval of the trustees, to arrange and survey
1146 courses of study, fix schedules, and establish and enforce rules
1147 and discipline for the governing of teachers and students. He
1148 shall be the general custodian of the property of the district.

1149 **SECTION 30.** Section 37-29-65, Mississippi Code of 1972, is
1150 brought forward as follows:



1151 37-29-65. (1) Except as provided in this section and in
1152 Sections 37-29-409, 37-29-457 and 37-29-505, there shall be five
1153 (5) trustees from each county of the junior college district which
1154 originally entered into and gave financial aid in establishing the
1155 junior college. On June 30, 1992, the offices of the six (6)
1156 trustees from each of the original counties in the Northwest
1157 Community College District shall stand vacated. The board of
1158 supervisors of those respective counties shall appoint two (2)
1159 members on July 1, 1992, to serve full terms of office as provided
1160 in this section. The board of supervisors of those respective
1161 counties shall appoint one (1) member who is a qualified elector
1162 from each supervisors district to serve as a member, either of
1163 which may be the county superintendent of education if he or she
1164 resides in a respective supervisors district. Counties which
1165 subsequent to the establishment of the junior college joined the
1166 district shall have only one (1) trustee. However, the board of
1167 trustees so constituted, by appropriate resolution, may enlarge
1168 its number to six (6) trustees from each county. The board of
1169 trustees shall also be authorized within its discretion to reduce
1170 its number to two (2) trustees at large from each county. In any
1171 case in which there is an equal number of trustees the board of
1172 trustees may appoint another person to membership.

1173 (2) The county superintendent, if appointed by the county
1174 board of supervisors, may, in his discretion, choose not to serve
1175 as a member of such board of trustees. Such decision not to serve



1176 shall be in writing and entered on the minutes of the board of
1177 trustees of the junior college district. The county board of
1178 supervisors of any county whose county superintendent of education
1179 appointed under the authority of this section, declines the
1180 appointment or resigns, pursuant to this subsection (2), shall
1181 fill the vacancy caused by such resignation by appointing a member
1182 who is a qualified elector of the county at large in accordance
1183 with subsection (6) of this section. No county superintendent
1184 whose school district is located within the East Mississippi
1185 Community College District shall serve on the board of trustees
1186 for that community college district.

1187 (3) From and after March 24, 1990, the Board of Trustees of
1188 the East Mississippi Community College District shall consist of
1189 twelve (12) members. The appointing authorities shall appoint a
1190 new board of trustees as follows: Clay County shall be entitled
1191 to two (2) members, Kemper County shall be entitled to two (2)
1192 members, Lauderdale County shall be entitled to two (2) members,
1193 Lowndes County shall be entitled to two (2) members, Noxubee
1194 County shall be entitled to two (2) members and Oktibbeha County
1195 shall be entitled to two (2) members. No member of the Board of
1196 Trustees of the East Mississippi Community College District shall
1197 have served on such board prior to March 24, 1990.

1198 (4) The Board of Trustees of the Coahoma Community College
1199 District shall consist of nine (9) members. The appointing
1200 authorities shall appoint the new board of trustees as follows:



1201 Coahoma County shall be entitled to five (5) members appointed in
1202 the manner provided herein, Tunica County shall be entitled to one
1203 (1) member, Quitman County shall be entitled to one (1) member,
1204 Bolivar County shall be entitled to one (1) member, and
1205 Tallahatchie County shall be entitled to one (1) member. Persons
1206 who are currently serving as members of the Board of Trustees of
1207 the Mississippi Delta Community College District or Northwest
1208 Community College District shall be eligible for appointment to
1209 the board.

1210 (5) The terms of office shall be five (5) years; however,
1211 upon the first selection of trustees in each county, one (1) shall
1212 be elected for a term of five (5) years, one (1) for a term of
1213 four (4) years, one (1) for a term of three (3) years, one (1) for
1214 a term of two (2) years, and one (1) for a term of one (1) year,
1215 so as to prevent the retirement of more than one (1) member of any
1216 one (1) county in any one (1) year. Where the board chooses or is
1217 required by statute to reduce its number, the board shall specify
1218 the expiration dates of such terms of office in order to prevent
1219 the retirement of more than one (1) member of any one (1) county
1220 in any one (1) year.

1221 (6) The board of supervisors shall elect the requisite
1222 number of discreet persons of good moral character, sufficient
1223 education and experience, and of proven interest in public
1224 education, who are qualified electors of the county, as trustees
1225 of the junior college; and annually thereafter the board of



1226 supervisors in like manner shall fill vacancies. All trustees so
1227 appointed shall be listed in the minutes of the board of
1228 supervisors and their appointment shall be certified by the
1229 chancery clerk to the president of the junior college.

1230 (7) Each junior college trustee may be paid, out of junior
1231 college funds, a per diem as authorized in Section 25-3-69,
1232 Mississippi Code of 1972, per meeting of said board and, in
1233 addition thereto, the mileage authorized under Section 25-3-41,
1234 Mississippi Code of 1972, per mile in coming to and returning from
1235 said meeting, calculated upon the customary and normally traveled
1236 route from the home of such trustee to the campus of said junior
1237 college. Such allowance of per diem and mileage shall not,
1238 however, be allowed for more than fifteen (15) meetings for any
1239 one (1) fiscal year and shall only be paid for meetings actually
1240 attended by such trustees.

1241 (8) The provisions of this section, other than those
1242 provisions pertaining to per diem compensation and travel
1243 allowances for junior college trustees, shall not apply to any
1244 existing publicly operated junior college, lying in and operated
1245 by a county bordering on the Mississippi River, and the junior
1246 college trustees of such junior college shall be appointed and
1247 confirmed as heretofore.

1248 (9) No county superintendent of education, by virtue of his
1249 or her office, shall be automatically placed on the board of
1250 trustees for any community college district to which this section



1251 applies. The number of trustees from each county shall be reduced
1252 by one (1) member if such member is superintendent of education.
1253 However, if the county board of supervisors, in making an
1254 appointment to the community college district board of trustees,
1255 chooses to appoint the county superintendent of education at the
1256 expiration of the term of the at large member, the superintendent
1257 may serve, unless otherwise disqualified.

1258 **SECTION 31.** Section 37-29-67, Mississippi Code of 1972, is
1259 brought forward as follows:

1260 37-29-67. (1) The duties of the board of trustees shall be
1261 the general government of the community/junior college and
1262 directive of the administration thereof. Subject to the
1263 provisions of Sections 37-29-1 through 37-29-273, the board shall
1264 have full power to do all things necessary to the successful
1265 operation of the district and the college or colleges or
1266 attendance centers located therein to ensure educational
1267 advantages and opportunities to all the enrollees within the
1268 district.

1269 (2) The board of trustees shall be authorized to designate a
1270 personnel supervisor or other person employed by the district to
1271 recommend teachers and to transmit such recommendations to the
1272 board of trustees; however, this authorization shall be restricted
1273 to no more than two (2) positions for each employment period in
1274 the district.



1275 (3) The delineation and enumeration of the powers and
1276 purposes set out in Sections 37-29-1 through 37-29-273 shall be
1277 deemed to be supplemental and additional, and shall not be
1278 construed to restrict the powers of the board of trustees of the
1279 district or of any college located therein so as to deny to the
1280 said district and the college or colleges therein the rights,
1281 privileges and powers previously authorized by statute.

1282 (4) The board of trustees shall have the power to enter into
1283 an energy performance contract, energy services contract, a
1284 shared-savings, lease or lease-purchase basis, for energy
1285 efficiency services and/or equipment as prescribed in Section
1286 31-7-14.

1287 (5) The board of trustees shall be authorized, with the
1288 approval of the Mississippi Community College Board, to change the
1289 name of the junior college to community college. The Mississippi
1290 Community College Board shall establish guidelines for the
1291 implementation of any junior college name change. Any reference
1292 to junior college district in this chapter shall hereinafter refer
1293 to the junior college district or its successor in name as changed
1294 by the board of trustees.

1295 (6) The boards of trustees shall purchase and maintain
1296 business property insurance and business personal property
1297 insurance on all college-owned buildings and/or contents as
1298 required by federal law and regulations of the Federal Emergency
1299 Management Agency (FEMA) as is necessary for receiving public



1300 assistance or reimbursement for repair, reconstruction,
1301 replacement or other damage to such buildings and/or contents
1302 caused by the Hurricane Katrina Disaster of 2005 or subsequent
1303 disasters. The boards of trustees are authorized to expend funds
1304 from any available source for the purpose of obtaining and
1305 maintaining that property insurance. The boards of trustees are
1306 authorized to enter into agreements with the Department of Finance
1307 and Administration, local school districts, other community/junior
1308 college districts, state institutions of higher learning,
1309 community hospitals and/or other state agencies to pool their
1310 liabilities to participate in a group business property and/or
1311 business personal property insurance program, subject to uniform
1312 rules and regulations as may be adopted by the Department of
1313 Finance and Administration.

1314 **SECTION 32.** Section 37-29-71, Mississippi Code of 1972, is
1315 brought forward as follows:

1316 37-29-71. The board of trustees shall annually prepare a
1317 budget which shall contain a detailed estimate of the revenues and
1318 expenses anticipated for the ensuing year for general operation
1319 and maintenance and which shall set forth the reasonable
1320 requirements for anticipated needs for capital outlays for land,
1321 buildings, initial equipment for new buildings and major repairs,
1322 a reasonable accumulation for such purposes being hereby expressly
1323 authorized.



1324 **SECTION 33.** Section 37-29-73, Mississippi Code of 1972, is
1325 brought forward as follows:

1326 37-29-73. The board of trustees is authorized to execute
1327 oil, gas and mineral leases on any of the property owned by the
1328 board of trustees of the district, but such leases shall not
1329 extend for a term beyond five (5) years unless oil, gas or other
1330 minerals shall be in production under said leases at the
1331 expiration of said period. The terms and conditions of said
1332 lease, within the limitations above set out, shall be for the
1333 determination and within the discretion of the board of trustees.

1334 **SECTION 34.** Section 37-29-75, Mississippi Code of 1972, is
1335 brought forward as follows:

1336 37-29-75. When any land or other property owned by a junior
1337 college/community college district shall cease to be used or
1338 needed by the district, the same may be sold by the board of
1339 trustees upon sealed bids or at public auction after three (3)
1340 weeks' advertisement in a newspaper in the county where the said
1341 property is located. Personal property having a value determined
1342 by the board of less than Five Hundred Dollars (\$500.00) may be
1343 sold without such advertisement; however, in such event, notice
1344 shall be posted in at least three public places in the county
1345 where such property is situated or where it is to be sold, giving
1346 notice of the time and place of such sale, and such property shall
1347 be sold to the highest and best bidder for cash. Such notice
1348 shall be posted for ten (10) days before the sale.



1349 **SECTION 35.** Section 37-29-77, Mississippi Code of 1972, is
1350 brought forward as follows:

1351 37-29-77. The board of trustees of any junior college is
1352 hereby authorized to lease the buildings and equipment thereof to
1353 any responsible individual for the purpose of carrying on a
1354 private school when there are no funds available for running said
1355 institution, and to lease the lands of said institution to some
1356 responsible person for agricultural purposes. Said leases shall
1357 not extend for any greater length of time than a period of three
1358 years from date of granting said lease.

1359 **SECTION 36.** Section 37-29-79, Mississippi Code of 1972, is
1360 brought forward as follows:

1361 37-29-79. Any junior college district is charged with the
1362 responsibility for providing preprofessional courses, liberal
1363 arts, technical, vocational, and adult education courses and shall
1364 undertake to provide the same as conveniently as is possible to
1365 the residents of the district, and to this end, the board of
1366 trustees is authorized and empowered to transport such enrollees
1367 as, in its discretion, should be transported in the best interest
1368 of the district. However, no additional allocation of any
1369 appropriation shall be made for such transportation. The board of
1370 trustees shall promulgate uniform rules to prevent discrimination
1371 in all matters of transportation.

1372 **SECTION 37.** Section 37-29-81, Mississippi Code of 1972, is
1373 brought forward as follows:



1374 37-29-81. The district, in the discretion of the board of
1375 trustees, may charge fees and tuitions in accordance with Section
1376 37-103-25.

1377 **SECTION 38.** Section 37-29-85, Mississippi Code of 1972, is
1378 brought forward as follows:

1379 37-29-85. The board of trustees of any public junior college
1380 district is hereby authorized to purchase liability insurance to
1381 cover the official actions of its board members and the official
1382 actions of employees of such public junior college district. Such
1383 coverage shall be in an amount judged by the board to be adequate.
1384 The costs of such insurance shall be paid out of the public junior
1385 college district's general maintenance fund.

1386 **SECTION 39.** Section 37-29-87, Mississippi Code of 1972, is
1387 brought forward as follows:

1388 37-29-87. The board of trustees of any public junior college
1389 district is hereby authorized, in its sole discretion, to convey
1390 real property and improvements thereon to any county within the
1391 junior college district without the necessity of advertising for
1392 and receiving bids and without receiving compensation therefor,
1393 provided the following requirements are met:

1394 (a) Where the county received title to the property and
1395 conveyed said property to the board of trustees of the junior
1396 college district, or where the board of trustees of such district
1397 received title to the property from any source and the purchase



1398 price therefor was paid by the county, for the purpose of
1399 operating an attendance center; and

1400 (b) Where the board of trustees of the junior college
1401 district has not received approvals from necessary state agencies
1402 or authorities to use said land for the operation of an attendance
1403 center; and

1404 (c) Where said board of trustees has adopted a
1405 resolution that such land and improvements are not needed for
1406 junior college purposes and expressing the desire to convey such
1407 land and improvements back to the county.

1408 **SECTION 40.** Section 37-29-101, Mississippi Code of 1972, is
1409 brought forward as follows:

1410 37-29-101. (1) In addition to other authority granted by
1411 Sections 37-29-1 through 37-29-273 or existing laws, the board of
1412 trustees may borrow money in anticipation of taxes, not to exceed
1413 fifty percent (50%) of the previous year's ad valorem tax
1414 receipts, for the purpose of paying any expenses authorized by law
1415 for the operation, maintenance and support of the college. The
1416 loan shall be evidenced by note or notes bearing the signatures of
1417 the chairman of the board and of the secretary of the board of
1418 trustees, and the seal of the college shall be thereon impressed.
1419 The notes shall mature not later than the thirtieth day of June
1420 next thereafter, and the notes shall not bear interest in excess
1421 of that allowed in Section 75-17-105, Mississippi Code of 1972.



1422 (2) The board of trustees may borrow funds from the United
1423 States federal government or any agency thereof to compensate for
1424 the loss of revenue collected or estimated to be collected on
1425 behalf of the community or junior college district from local
1426 sources during a fiscal year as a result of Hurricane Katrina, may
1427 issue its promissory note to the United States federal government
1428 or any agency thereof, and may comply with and issue the
1429 regulations of the United States federal government or agency
1430 thereof regarding the promissory note. However, this section does
1431 not authorize any levy of taxes or pledge of collateral for the
1432 security of a promissory note not otherwise allowed by law. The
1433 State of Mississippi may sign any promissory note as an equal
1434 co-obligor on any such note, and in the event the State of
1435 Mississippi signs the promissory note as a co-obligor, the full
1436 faith and credit of the State of Mississippi shall be pledged for
1437 the payment of the promissory note.

1438 **SECTION 41.** Section 37-29-103, Mississippi Code of 1972, is
1439 brought forward as follows:

1440 37-29-103. Any board of trustees may, in its discretion, by
1441 the concurrence of two-thirds (2/3) of its authorized members
1442 present and voting and for good cause shown therefor, to be spread
1443 upon its minutes by way of its resolution or order, which shall
1444 contain a proposal as to the revenues from which it is anticipated
1445 the loans herein authorized are to be repaid, authorize the junior
1446 college district to borrow money from time to time for periods not



1447 to exceed twenty-five (25) years under such terms and conditions
1448 as the board deems necessary and requisite and upon its issuing
1449 its promissory note or notes or other negotiable instruments.
1450 Such loans may be repaid from the general fund of the district,
1451 whether the same shall have been derived from ad valorem tax
1452 receipts or otherwise and may be further secured by a pledge of
1453 the avails of the levies, whether for support, enlargement,
1454 improvement or repairs, authorized by Section 37-29-141,
1455 Mississippi Code of 1972; and the tax receipts used to repay such
1456 loans from any levies so pledged shall be excluded from the ten
1457 percent (10%) growth limitation on ad valorem taxes imposed in
1458 Sections 27-39-320, 27-39-321 and 37-57-107, Mississippi Code of
1459 1972. Such note or notes or other negotiable instruments shall be
1460 executed by the manual or facsimile signature of the chairman of
1461 the board of trustees and countersigned by the manual or facsimile
1462 signature of the secretary thereof, with the seal of the district
1463 affixed thereto. At least one (1) signature on each such note
1464 shall be a manual signature, as specified in the issuing
1465 resolution. The coupons, if any, may bear only facsimile
1466 signatures. Any notes or other evidences of indebtedness issued
1467 pursuant to this section shall be sold pursuant to the provisions
1468 of Section 31-19-25, Mississippi Code of 1972, and shall not bear
1469 a greater overall maximum interest rate to maturity than that
1470 allowed in Section 75-17-101, Mississippi Code of 1972.



1471 **SECTION 42.** Section 37-29-105, Mississippi Code of 1972, is
1472 brought forward as follows:

1473 37-29-105. In the event that bonds shall have been
1474 authorized for projects determined by the board of trustees and
1475 such bonds validated, the board of trustees is authorized to
1476 utilize any available funds for the immediate commencement of such
1477 project and to reimburse the funds from which any such
1478 expenditures are made from the proceeds of the bonds when the same
1479 are received.

1480 **SECTION 43.** Section 37-29-107, Mississippi Code of 1972, is
1481 brought forward as follows:

1482 37-29-107. Subject to the approval of the Mississippi
1483 Community College Board, the boards of trustees of junior college
1484 districts are hereby authorized and empowered to contract with and
1485 borrow money from the United States of America, or any department,
1486 instrumentality, agency or agencies thereof, as may be designated
1487 or created to make loans or grants, or from private lenders, for
1488 the purpose of acquiring land for, and erecting, repairing,
1489 remodeling, maintaining, adding to, extending, improving,
1490 equipping or acquiring dormitories with or without dining
1491 facilities, dwellings or apartments to be located at or near the
1492 campuses of such junior colleges, for the use of students, faculty
1493 members or officers or employees thereof. The said boards are
1494 hereby authorized to supervise the contracting for and the



1495 construction and equipping of all facilities constructed and
1496 financed hereunder.

1497 **SECTION 44.** Section 37-29-109, Mississippi Code of 1972, is
1498 brought forward as follows:

1499 37-29-109. The loans authorized by Section 37-29-107 and
1500 Sections 37-29-401 to 37-29-437, shall be evidenced by bonds,
1501 which shall be authorized by resolution of the boards of trustees.
1502 Each such resolution shall describe the land to be acquired, if
1503 any, and the said dormitories, dwellings or apartments to be
1504 erected, repaired, remodeled, maintained, added to, extended,
1505 improved, equipped, or acquired, together with the equipment
1506 therefor. A majority vote of all of the members of such boards,
1507 respectively, shall be necessary to the adoption of any such
1508 resolution. All votes cast on such resolutions shall be by yea
1509 and nay vote, duly recorded on the minutes of the proceedings of
1510 such boards, respectively.

1511 Such bonds may be issued in one or more series, may bear such
1512 date or dates, may be in such denomination or denominations, may
1513 mature at such time or times, not exceeding twenty-five (25) years
1514 from the respective dates thereof, may mature in such amount or
1515 amounts, may bear interest at such rate or rates, not exceeding
1516 that allowed in Section 75-17-101, Mississippi Code of 1972,
1517 payable semiannually, may be in such forms, either coupon or
1518 registered, may carry such registration privileges, may be
1519 executed in such manner, may be payable in such medium of payment,



1520 at such place or places, and may be subject to such terms of
1521 redemption, with or without premium, all as such resolution or
1522 other resolutions may provide.

1523 All such bonds shall be sold at public sale pursuant to such
1524 notice as such boards shall prescribe by resolution. All such
1525 bonds shall be fully negotiable within the meaning and for the
1526 purposes of the Uniform Commercial Code. Incidental costs in
1527 connection with the issuance of said bonds, the printing thereof,
1528 costs of validation proceedings if required by bond resolution,
1529 including attorney's fees and other costs directly attributable to
1530 the issuance of said bonds, either in one or more series or at one
1531 (1) time or various times, may be paid out of the proceeds of the
1532 sale of said bonds. In agreements or commitments by or between
1533 the boards of trustees and private lenders and/or the U. S.
1534 Department of Housing and Urban Development or its successor to
1535 make loans or grants in which bonds are to be issued under the
1536 provisions of this section, and in which part or all of the
1537 principal and/or interest on said bonds is to be paid or
1538 guaranteed by the U. S. Department of Housing and Urban
1539 Development or its successor, said bonds shall mature at such time
1540 or times, not to exceed (40) years, as shall be prescribed in the
1541 resolution of the board of trustees authorizing their issuance and
1542 shall bear a net interest rate not in excess of that allowed in
1543 Section 75-17-101, Mississippi Code of 1972.



1544 Notwithstanding any other provision of law, in any resolution
1545 authorizing the issuance of bonds hereunder, including refunding
1546 bonds, the boards of trustees, may provide for the initial
1547 issuance of one or more bonds (hereinafter sometimes collectively
1548 called "bond"), may make such provision for installment payments
1549 of the principal amount of any such bond as they may consider
1550 desirable, and may provide for the making of any such bond
1551 registerable as to principal or as to both principal and interest
1552 and, where interest accruing thereon is not represented by
1553 interest coupons, for the endorsing of payments of interest on
1554 such bond. Such boards may further make provision in any such
1555 resolution for the manner and circumstances in and under which any
1556 such bond may in the future, at the request of the holder thereof,
1557 be converted into bonds of smaller denominations, which bonds of
1558 smaller denominations may in turn be either coupon bonds or bonds
1559 registerable as to principal or as to principal and interest.

1560 **SECTION 45.** Section 37-29-111, Mississippi Code of 1972, is
1561 brought forward as follows:

1562 37-29-111. Bonds issued under the provisions of Section
1563 37-29-109, may be refunded, in whole or in part, in any of the
1564 following circumstances, to wit:

1565 (a) When any such bonds by their terms become due and
1566 payable and there are not sufficient sums in the fund established
1567 for their payment to pay such bonds and the interest thereon;



(b) When any such bonds are by their terms callable for payment and redemption in advance of their date of maturity and shall have been duly called for payment and redemption;

(c) When any such bonds are voluntarily surrendered by the holder or holders thereof in exchange for refunding bonds; and

(d) When, in connection with the issuance of any additional bonds under the provisions of Section 37 29 109 for the purpose of financing any additional construction authorized under the provisions of Section 37 29 107, any such board shall determine to combine such new issue of bonds with any issue or issues of bonds of the same board then outstanding, for the purpose of unifying such indebtedness and utilizing the income and revenues derived from all projects or facilities operated by such board to the payment of such indebtedness, and such board shall determine that such outstanding bonds are by their terms then callable for redemption or are obtainable by and through the voluntary surrender thereof by the holder or holders thereof.

SECTION 46. Section 37-29-113, Mississippi Code of 1972, is brought forward as follows:

37-29-113. For the purpose of refunding any bonds issued under the provisions of Section 37-29-109, including refunding bonds, any board of trustees may make and issue refunding bonds in such amount as may be necessary to pay off and redeem the bonds to be refunded together with unpaid and past due interest thereon and any premium which may be due under the terms of such outstanding



1593 bonds, together also with the cost of issuing such refunding
1594 bonds. Said board may sell the same in like manner as provided
1595 for the initial issuance of bonds. With the proceeds of any such
1596 refunding bonds such board shall pay off, redeem and cancel such
1597 old bonds and interest coupons as may have matured, or such bonds
1598 as may have been called for payment and redemption together with
1599 the past due interest and premium, if any, due thereon; such bonds
1600 may be issued and delivered in exchange for a like par value
1601 amount of bonds to refund which the refunding bonds were issued.
1602 No refunding bonds issued hereunder shall be payable in more than
1603 twenty-five (25) years from the date thereof, nor shall any such
1604 refunding bonds bear interest at a rate in excess of that allowed
1605 in Section 75-17-101, Mississippi Code of 1972, payable
1606 semiannually. All such refunding bonds shall be payable from the
1607 same source or sources as were pledged to the payment of the bonds
1608 refunded thereby and, in the discretion of such board of trustees,
1609 may be payable from any other source or sources which may be
1610 pledged to the payment of revenue bonds issued hereunder. Bonds
1611 of two (2) or more outstanding issues of the same board may be
1612 refunded in a single issue of refunding bonds.

1613 **SECTION 47.** Section 37-29-115, Mississippi Code of 1972, is
1614 brought forward as follows:

1615 37-29-115. The boards of trustees, in the issuance of bonds
1616 under the provisions of Section 37-29-109, in order to secure the



1617 payment of such bonds and the interest thereon, shall have power
1618 by resolution:

1619 (a) To fix and maintain (1) fees, rentals and other
1620 charges to be paid by students, faculty members, or officers or
1621 employees using or being served by any dormitories, dwellings or
1622 apartments erected, repaired, remodeled, maintained, added to,
1623 extended, improved or acquired under the authority of Section
1624 37-29-107; (2) fees, rentals and other charges to be paid by
1625 students, faculty members, or officers or employees using or being
1626 served by any other dormitories, dwellings or apartments or other
1627 projects or facilities at any junior college for which bonds are
1628 issued under the provisions of Section 37-29-109, which fees,
1629 rentals and other charges shall be the same as those applicable to
1630 the dormitories, dwellings or apartments referred to under (1)
1631 above; in fixing such fees, rentals and other charges, there may
1632 be allowed reasonable differentials based on the condition, type,
1633 location and relative convenience of the dormitories, dwellings or
1634 apartments or other projects or facilities in question, but such
1635 differentials shall be uniform as to all students, faculty
1636 members, officers or employees similarly accommodated;

1637 (b) To provide that bonds issued under the provisions
1638 of Section 37-29-109 shall be secured by a first lien on, and
1639 shall be payable from, all or any part of the income and revenues
1640 derived from fees, rentals and other charges to be paid by
1641 students, faculty members, officers or employees using or being



1642 served by any dormitories, dwellings or apartments, or other
1643 projects or facilities operated at such junior colleges,
1644 respectively, and erected, repaired, remodeled, maintained, added
1645 to, extended, improved or acquired under the authority of Section
1646 37-29-107 or any other law, or otherwise, and not then currently
1647 pledged;

1648 (c) To pledge and assign to or in trust for the benefit
1649 of the holder or holders of any bond or bonds, coupon or coupons
1650 issued under the provisions of Section 37-29-109, an amount of the
1651 income and revenues derived from such fees, rentals and other
1652 charges to be paid by students, faculty members, officers or
1653 employees, using or being served by any dormitories, dwellings or
1654 apartments, or other projects or facilities operated at such
1655 junior colleges, and erected, repaired, remodeled, maintained,
1656 added to, extended, improved or acquired under the authority of
1657 Section 37-29-107 or any other law, or otherwise, and not then
1658 currently pledged, which rentals, fees and charges imposed and
1659 pledged shall be sufficient to pay when due the bonds issued under
1660 the provisions of Section 37-29-109 and interest thereon, to
1661 create and maintain a reasonable reserve therefor, and to operate
1662 and maintain the project constructed under the terms of Section
1663 37-29-107, including insurance thereon, and to create and at all
1664 times maintain an adequate reserve for contingencies and for major
1665 repairs and replacements;



1666 (d) To covenant with or for the benefit of the holder
1667 or holders of any bond or bonds, coupon or coupons issued under
1668 the provisions of Section 37-29-109 to erect, repair, remodel,
1669 maintain, add to, extend, improve or acquire any dormitories,
1670 dwellings or apartments, and, so long as any such bonds or coupons
1671 shall remain outstanding and unpaid, to fix, maintain and collect
1672 fees, rentals or other charges from students, faculty members,
1673 officers or employees using or being served by any such facilities
1674 erected, repaired, remodeled, maintained, added to, extended,
1675 improved, or acquired under the authority of Section 37-29-107 or
1676 any other law, or otherwise, which fees, rentals or other charges
1677 shall be sufficient to pay when due any bond or bonds, coupon or
1678 coupons, issued under the provisions of Section 37-29-109, and
1679 create and maintain a reasonable reserve therefor, and to pay the
1680 cost of operation and maintenance of such facilities, including
1681 insurance thereon, and to create and at all times maintain an
1682 adequate reserve for contingencies and for major repairs and
1683 replacements;

1684 (e) To make and enforce and to agree to make and
1685 enforce parietal rules that shall ensure the use of any such
1686 dormitory, dwelling or apartment, by students, faculty members,
1687 officers or employees of such junior college to the maximum extent
1688 to which such facilities are capable of serving same, so long as
1689 such rules are not in conflict with existing covenants;



1690 (f) To covenant that as long as any bonds or coupons
1691 issued under the provisions of Section 37-29-109 shall remain
1692 outstanding and unpaid, it will not, except upon such terms and
1693 conditions as may be determined by the resolution issuing such
1694 bonds, (1) voluntarily create, or cause to be created, any debt,
1695 lien, pledge, assignment, encumbrance, or other charge having
1696 priority to or being on a parity with the lien of the bonds so
1697 issued upon any of the income and revenues derived from fees,
1698 rentals and other charges to be paid by students, faculty members,
1699 officers or employees using or being served by any dormitories,
1700 dwellings or apartments operated at any such junior college and
1701 erected, repaired, remodeled, maintained, added to, extended,
1702 improved or acquired under the authority of Section 37-29-107 or
1703 any other law, or otherwise, or (2) convey or otherwise alienate
1704 any such dormitories, dwellings or apartments, or the real estate
1705 upon which the same shall be located, except at a price sufficient
1706 to pay all the bonds then outstanding and interest thereon payable
1707 from the revenues of such facilities, and then only in accordance
1708 with any agreements with the holder or holders of such bonds, or
1709 (3) mortgage or otherwise voluntarily create, or cause to be
1710 created, any encumbrance on any such dormitory, dwelling or
1711 apartment, or the real estate upon which it shall be located;
1712 (g) To covenant as to the proceedings by which the
1713 terms of any contract with a holder or holders of such bonds may
1714 be amended or rescinded, the amount or percentage of bonds the



holder or holders of which must consent thereto, and the manner in which such consent may be given;

(h) To vest in the holder or holders of any specified amount of percentage of bonds the right to apply to any court of competent jurisdiction for and to have granted the appointment of a receiver or receivers of the income and revenues pledged to or for the benefit of the holder or holders of any such bonds, which receiver or receivers may have and be granted such powers and duties as are usually granted under the laws of the State of Mississippi to a receiver or receivers appointed in connection with the foreclosure of a mortgage made by a private corporation.

SECTION 48. Section 37-29-117, Mississippi Code of 1972, is brought forward as follows:

37-29-117. The holder of any bond or any interest coupon issued under the provisions of Sections 37-29-107 through 37-29-115 may, by suit, action, mandamus or other proceedings at law or in equity, enforce and compel performance by the appropriate official or officials of the said boards of trustees of any or all acts and duties to be performed by such boards or such officials under the provisions of said sections and under the resolution authorizing the issuance of such bond or interest coupon. If there be any default in the payment of the interest on and principal of any of such bonds, any court having jurisdiction in the proper action may, upon petition of the holder of any such bonds, appoint a receiver to administer and operate the



1740 facilities, the revenues of which were pledged to the payment of
1741 such bonds, with power to fix and collect fees, rentals and other
1742 charges sufficient to provide for the payment of all bonds
1743 outstanding, to the payment of which the revenues of such
1744 facilities were pledged and to pay the expenses of operating and
1745 maintaining such facilities and to apply the revenues thereof in
1746 conformity with the provisions of said sections and of the
1747 resolution authorizing the issuance of such bonds.

1748 **SECTION 49.** Section 37-29-119, Mississippi Code of 1972, is
1749 brought forward as follows:

1750 37-29-119. It shall be understood that the full faith and
1751 credit of the State of Mississippi is not pledged to the payment
1752 of such bonds as are issued under the provisions of Sections
1753 37-29-107 through 37-29-115, and that such bonds are payable
1754 solely from the sources provided by law.

1755 **SECTION 50.** Section 37-29-121, Mississippi Code of 1972, is
1756 brought forward as follows:

1757 37-29-121. Any junior college district, supported in whole
1758 or in part by tax levies of one or more counties, may borrow not
1759 exceeding Fifty Thousand Dollars (\$50,000.00), for the purpose of
1760 receiving, transporting, erecting on the ground of said
1761 institution, and equipping and furnishing any prefabricated
1762 houses, or other materials, or appliances, fixtures, machines,
1763 furnishings or equipment, obtained by grant or otherwise from the
1764 United States of America or any department or agency thereof, or



from any other source, where the same may be acquired for the use of the institution, any student personnel, or faculty members.

SECTION 51. Section 37-29-123, Mississippi Code of 1972, is brought forward as follows:

37-29-123. In any such case the board of trustees of such junior college district by resolution or order, shall declare its intention to borrow any sum not in excess of the limitation fixed in Section 37-29-121, and shall recite in said resolution or order with reasonable particulars the purpose for which said funds are to be borrowed, and shall fix a schedule of amounts and dates of maturities by which such loans shall be repaid. Such resolution or order shall be duly recorded in the permanent minutes of the board of trustees of such institution. All such loans shall be fully repaid within six years, and they shall be evidenced by notes signed by the president and secretary of the board of trustees, which shall bear appropriate reference to the resolution or order of the board of trustees authorizing such loan. Such loan shall be retired in installments of not less than one-fifth the amount thereof on the first day of April of the year next succeeding the date of such loan and an equal amount on the same date of each and every year thereafter until said loan is paid.

Notes issued in evidence of such loans shall bear interest at a rate of not to exceed four percent (4%) per annum, all interest payable semi-annually, and no such note shall be sold or negotiated by said institution for less than par and accrued



1790 interest. Funds received by such institution from the sale or
1791 negotiation of any such notes shall be paid into the treasury of
1792 the institution and disbursed as other funds thereof are
1793 disbursed, but for no other purpose than that authorized by
1794 Section 37-29-121.

1795 Such notes shall be lithographed, or engraved, and printed in
1796 two or more colors to prevent counterfeiting. Such notes shall
1797 bear the signature of the junior college issuing the same, by the
1798 president and secretary of the board of trustees thereof. They
1799 shall be impressed with the seal of such institution. Interest
1800 coupons attached may bear the facsimile signatures of the
1801 aforesaid officers of the board of trustees. Before negotiation
1802 or sale and delivery thereof, said notes shall be registered in a
1803 book kept in the business office of such institution.

1804 All indebtedness so created shall be paid from first funds
1805 derived from tax levies for maintenance and operation of said
1806 school coming into the treasury thereof and from fees, rentals and
1807 other charges as provided in Section 37-29-125. In order to
1808 secure the prompt payment of any and all indebtedness, whether of
1809 principal or interest incurred hereunder, a special fund shall be
1810 established in the depository of the funds of said institution,
1811 the style of which shall be, "debt retirement fund of ____ junior
1812 college district," and immediately upon receipt of the
1813 distribution of said first funds derived from such tax levies,
1814 annually hereafter in advance of the due date of each and every



1815 installment of said indebtedness, a sufficient sum from said taxes
1816 shall be paid into said special fund for the retirement of all
1817 principal and interest coming due within said year equal to the
1818 difference, if any, between such principal and interest and the
1819 amount collected from fees, rentals and other charges, as provided
1820 in Section 37-29-125. Said debt retirement fund shall be used for
1821 no other purpose than for the payment of principal and interest of
1822 indebtedness incurred hereunder.

1823 **SECTION 52.** Section 37-29-125, Mississippi Code of 1972, is
1824 brought forward as follows:

1825 37-29-125. The board of trustees of any such junior college
1826 district borrowing money pursuant to the authority granted in
1827 Section 37-29-121, is hereby authorized and empowered to fix,
1828 maintain and collect fees, rentals and other charges to be paid by
1829 students, faculty members and others using, housed in or being
1830 served by any building or other housing facility erected or
1831 established under the terms and provisions of said section. All
1832 such fees, rentals and other charges shall likewise be paid into
1833 the debt retirement fund specified in Section 37-29-123, and shall
1834 be pledged for the prompt repayment of any and all indebtedness,
1835 whether of principal or interest, incurred under the provisions of
1836 said section. Nothing in Sections 37-29-121 through 37-29-127
1837 shall be construed to authorize the levying or imposition of any
1838 taxes in excess of the limits and amounts which are now or may
1839 hereafter be provided by law.



1840 **SECTION 53.** Section 37-29-127, Mississippi Code of 1972, is
1841 brought forward as follows:

1842 37-29-127. Sections 37-29-121 through 37-29-125 shall be
1843 construed as cumulative and no restriction, limitation or
1844 prohibition of the general laws shall operate to curtail the
1845 authority or prescribe the procedure by which the purposes of said
1846 sections shall be effected.

1847 **SECTION 54.** Section 37-29-131, Mississippi Code of 1972, is
1848 brought forward as follows:

1849 37-29-131. The board of trustees of any community or junior
1850 college is hereby authorized and empowered to enter into lease
1851 agreements or service contracts with any governmental agency or
1852 political subdivision, corporation, partnership, joint venture, or
1853 individual under which the college may acquire by lease,
1854 lease-purchase or service contract for a primary term not to
1855 exceed thirty-five (35) years lands, buildings and related
1856 facilities which the board may determine necessary to provide
1857 additional facilities, services or educational opportunities to
1858 the college, its students, faculty and the community.

1859 Any machinery, furnishings, fixtures and equipment for these
1860 facilities and use by the college may be acquired by lease or
1861 lease purchase provided that the primary term of such lease shall
1862 not exceed the estimated useful economic life of such machinery or
1863 equipment.



1864 **SECTION 55.** Section 37-29-133, Mississippi Code of 1972, is
1865 brought forward as follows:

1866 37-29-133. All such leases shall contain an option granting
1867 the board the right to purchase the leased property upon the
1868 expiration of the primary term or upon such earlier date as may be
1869 agreed upon. With respect to leased machinery, furniture,
1870 fixtures and equipment, the purchase price shall be specified in
1871 the lease contract separately and distinctly from that portion of
1872 lease payments attributable to interest. With respect to other
1873 property, the purchase price, excluding payments attributable to
1874 interest, shall not exceed the appraised fair market value of the
1875 leased property at the time the college takes possession of the
1876 property for occupancy.

1877 **SECTION 56.** Section 37-29-135, Mississippi Code of 1972, is
1878 brought forward as follows:

1879 37-29-135. The board of trustees is authorized to lease land
1880 and/or buildings owned by the college to any governmental agency,
1881 political subdivision, corporation, partnership, joint venture, or
1882 individual for the purpose of enabling such persons to construct
1883 thereon or repair, renovate and rehabilitate any buildings or
1884 facilities the board may determine as necessary and beneficial for
1885 additional facilities, services or educational opportunities to
1886 the college, students, faculty or the community, and to lease such
1887 building and facilities to the college.



1888 **SECTION 57.** Section 37-29-137, Mississippi Code of 1972, is
1889 brought forward as follows:

1890 37-29-137. Subject to the provisions of Sections 37-29-131
1891 through 37-29-139, any lease agreement shall be binding on the
1892 board of trustees of the college and any party thereto in
1893 accordance with its terms; provided, however, that any such lease
1894 shall include a provision that the lessee's obligation to pay any
1895 amounts due or perform any covenants requiring or resulting in the
1896 expenditure of money shall be contingent and expressly limited to
1897 the extent of any covenants requiring or resulting in the
1898 expenditure of money shall be contingent and expressly limited to
1899 the extent of any appropriation made to fund such lease agreement
1900 and that nothing contained in the lease agreement shall be
1901 construed as creating any monetary obligations on the part of the
1902 lessee beyond such current and specific support appropriations.
1903 Rentals payable by the community or junior college under leases
1904 pursuant to Sections 37-29-131 through 37-29-139 shall be payable
1905 from any revenue available for the support and enlargement,
1906 improvement, and repair of the college.

1907 **SECTION 58.** Section 37-29-139, Mississippi Code of 1972, is
1908 brought forward as follows:

1909 37-29-139. Sections 37-29-131 through 37-29-139, without
1910 reference to any other statute shall be deemed to be full and
1911 complete authority for the authorization, execution and delivery
1912 of lease agreements authorized hereunder and shall be construed as



an additional and alternative method; and none of the present restrictions, requirements, conditions and limitations of law applicable to acquisition, construction and drawing of buildings or facilities shall apply to lease agreements under this act and no proceeding shall be required for the authorization, execution and delivery of such leases other than those required herein, and all powers necessary to be exercised in order to carry out the provisions of this act are hereby conferred.

SECTION 59. Section 37-29-141, Mississippi Code of 1972, is brought forward 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



1938 after October 1, 1990, the board of trustees of any junior college
1939 district may, by a sixty percent (60%) affirmative vote of the
1940 members of such board, recommend an additional one (1) mill which
1941 may be used for the support or for the enlargement, improvement
1942 and repair of the junior college within the district of which the
1943 county is a member. If a county is levying more than the minimum
1944 levy required herein for one category but less than the minimum
1945 levy required for the other, then the excess millage under the one
1946 may be applied towards making up the deficiency which exists in
1947 the other. If a county contributes to two (2) junior college
1948 districts, the combined levy for both districts shall not be less
1949 than the minimums required herein.

1950 Any county having any school district located therein with a
1951 current operating deficit of Two Hundred Thousand Dollars
1952 (\$200,000.00) or more on July 1, 1989, shall not be required to
1953 levy the minimum millage required under this subsection (1) until
1954 such time as the said operating deficit is eliminated, or for a
1955 period of three (3) fiscal years, whichever is less. Provided,
1956 however, that no such county shall levy a smaller tax millage for
1957 capital improvements and general support of a junior college
1958 district than was levied for the previous year.

1959 No county shall levy a smaller tax millage for capital
1960 improvements and general support of a junior college district than
1961 was levied for the previous year, unless requested to make such
1962 reduction by the board of trustees of the district. When a county



1963 has a general reassessment of property to increase the county ad
1964 valorem tax assessments, such county may reduce the millage for
1965 general support and capital improvements, provided that its
1966 aggregate budget for junior college purposes is not lower than was
1967 paid the previous year.

1968 In lieu of taxation, the board of trustees may fix the amount
1969 of enrollee tuition in an amount commensurate with the per capita
1970 cost of operating the district, which may also include any fees
1971 assessed by the board upon each student enrolled under the
1972 authority of Section 37-29-231 for the purpose of offsetting the
1973 cost of first responder services provided to the main campus of
1974 the community college by the local governing authority in
1975 accordance with the provisions of the contract entered into under
1976 the authority of Section 21-25-23 or the interlocal agreement
1977 entered into under the authority of Section 37-29-231.

1978 (2) Taxes for the support, enlargement, improvement and
1979 repairs of junior colleges shall be levied annually against all of
1980 the property of each county and of each municipal separate school
1981 district, including added territory, which has established or may
1982 hereafter establish, or which has joined or may hereafter join, in
1983 the establishment or support of a junior college. In no case
1984 shall such levy exceed three (3) mills for support and three (3)
1985 mills for enlargement, improvement and repairs for each junior
1986 college within the district of which the county or municipal
1987 separate school district may be a component.



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

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

SECTION 60. Section 37-29-143, Mississippi Code of 1972, is brought forward as follows:

37-29-143. (1) (a) Except as provided in paragraph (b) of this subsection, on or before the thirtieth day of each month, the board of supervisors of each county levying taxes pursuant to subsection (1) of Section 37-29-141, for the support and maintenance of the county's respective community college district shall transmit or have the chancery clerk transmit its warrant or warrants constituting all of the revenues received from taxation for the prior month for those purposes to the chief executive officer or president of the county's respective community college



2013 district. All such county warrants evidencing a county's annual
2014 revenue from the tax levy shall be immediately deposited in one or
2015 more banking institutions and public depositories previously
2016 selected by the board of trustees of the community college
2017 district and spread upon its official minutes.

2018 (b) The county board of supervisors, by appropriate
2019 resolution, may designate the tax collector as the official to
2020 transmit revenues from taxes levied by the county under Section
2021 37-29-141(1) for the support and maintenance of the county's
2022 respective community college district. If so designated, on or
2023 before the twentieth day of each month, the tax collector of each
2024 county levying such taxes shall transmit all of the revenues
2025 received from taxation for the prior month for those purposes to
2026 the chief executive officer or president of the county's
2027 respective community college district. All such revenues from the
2028 tax levy of the county shall be immediately deposited in one or
2029 more public depositories of the community college district.

2030 (2) The board of trustees shall, by appropriate orders
2031 spread upon its minutes, authorize its chief executive officer or
2032 president to expend such funds acquired under subsection (1)(a)
2033 and (b) for lawful purposes only and in accordance with its annual
2034 budget previously adopted. The board of trustees may require its
2035 designated employees, including its president, and fiscal agents
2036 to enter into and file with the president of the college a surety
2037 bond to ensure the faithful performance of the public duties of



each officer or agent who is authorized to receive and expend the funds of the district. Such bond may be of such denomination and conditions as the board of trustees may deem necessary and requisite, and the premium thereon shall be paid from the funds of the district.

(3) (a) Except as provided in paragraph (b) of this subsection, all funds derived from such taxes as are provided for in subsection (2) of Section 37-29-141 shall be paid into the county depository of the county in which the community or junior college is located upon receipt warrants of the chancery clerk of said county. Such funds shall be paid out of the depository in the manner prescribed by order of the board of trustees of the community or junior college for purposes provided by statute.

(b) The county board of supervisors, by appropriate resolution, may designate the tax collector as the official to transmit funds from taxes levied by the county under Section 37-29-141(2) for the community college district. If so designated, the tax collector of each county shall transmit all funds derived from such taxes to the public depository or depositories of the community college district. Such funds shall be paid out of the depository or depositories in the manner prescribed by order of the board of trustees of the community college district for purposes provided by statute.

SECTION 61. Section 37-29-145, Mississippi Code of 1972, is brought forward as follows:



2063 37-29-145. In the event any county shall have outstanding
2064 bonds or other indebtedness which were sold or levied for the
2065 support and maintenance of a public junior college which was in
2066 operation as of July 1, 1964, and such county becomes a part of a
2067 legally constituted junior college district as provided in Section
2068 37-29-31, the board of supervisors of such county shall continue
2069 to levy taxes upon such county until such bonds or other
2070 indebtedness shall be fully paid according to the terms thereof.

2071 **SECTION 62.** Section 37-29-161, Mississippi Code of 1972, is
2072 brought forward as follows:

2073 37-29-161. Sections 37-29-161 through 37-29-173 may be cited
2074 as the "Mississippi Junior College Vocational and Technical
2075 Training Law of 1964."

2076 **SECTION 63.** Section 37-29-163, Mississippi Code of 1972, is
2077 brought forward as follows:

2078 37-29-163. It is hereby declared to be the intent of the
2079 Legislature that those funds appropriated to the State Building
2080 Commission for the Junior College Vocational and Technical
2081 Training Fund shall be expended to expand immediately and improve
2082 existing programs, to institute new programs and to provide
2083 adequate equipment and facilities for existing and new programs
2084 for vocational and technical training individually or collectively
2085 within the public junior colleges of the state. The Legislature
2086 further declares its intent to be that the presently existing
2087 physical facilities of the junior colleges shall be utilized in



2088 the development and implementation of such vocational and
2089 technical training programs where possible.

2090 **SECTION 64.** Section 37-29-165, Mississippi Code of 1972, is
2091 brought forward as follows:

2092 37-29-165. There is hereby created within the State Building
2093 Commission a fund for the stimulation of the vocational and
2094 technical training programs of the junior colleges of the State of
2095 Mississippi. All sums of money received by the state building
2096 commission to carry out the provisions of the Mississippi Junior
2097 College Vocational and Technical Training Law of 1964 shall be
2098 maintained in the State Treasury and shall constitute a fund to be
2099 known as the "Junior College Vocational and Technical Training
2100 Fund." All expenditures therefrom shall be authorized by the State
2101 Building Commission in the manner set forth in Section 37-29-171.
2102 Such expenditures shall be paid therefrom by the State Treasurer
2103 on warrants issued by the auditor of public accounts. Said
2104 auditor shall issue his warrant upon requisition signed by the
2105 chairman and secretary of said commission.

2106 **SECTION 65.** Section 37-29-167, Mississippi Code of 1972, is
2107 brought forward as follows:

2108 37-29-167. Any state public junior college desiring any
2109 benefit available under the provisions of the Mississippi Junior
2110 College Vocational and Technical Training Law of 1964 shall make
2111 application in triplicate therefor to the Mississippi Community



2112 College Board, and submit the same in the form and manner as said
2113 commission may direct.

2114 The board of trustees of the junior college district is
2115 required and it is empowered to allocate local matching funds on
2116 at least a fifty-fifty basis to supplement state funds, and the
2117 commission shall determine the rules and conditions appertaining
2118 to same.

2119 The board of trustees is authorized to receive all grants,
2120 scholarships or donations in carrying out the provisions of said
2121 law.

2122 **SECTION 66.** Section 37-29-169, Mississippi Code of 1972, is
2123 brought forward as follows:

2124 37-29-169. The formula for allocating funds to the state's
2125 public junior colleges in support of the purposes set forth in
2126 Section 37-29-163 shall be determined by the Mississippi Community
2127 College Board based upon need for the program set forth in the
2128 application.

2129 Said board shall furnish a copy of the application to the
2130 Governor's Office of General Services and a copy to the Board of
2131 Economic Development. The Board of Economic Development shall
2132 review each application, and if said board finds and determines
2133 there exists a need for said training programs, facilities and
2134 equipment, it shall issue a certificate of necessity to the
2135 Mississippi Community College Board, which certificate of
2136 necessity shall be a prerequisite for approval.



2137 The Mississippi Community College Board shall consider each
2138 application with reference to adequacy of the past, present and
2139 prospective use of the instruction, personnel, curriculum,
2140 equipment, budget, operation, facilities, grants, scholarships,
2141 tuition, maintenance and other similar administrative and
2142 technical data as relates to each junior college. The said board
2143 shall, by resolution or order, approve or disapprove the
2144 application.

2145 **SECTION 67.** Section 37-29-171, Mississippi Code of 1972, is
2146 brought forward as follows:

2147 37-29-171. No expenditures shall be made under the
2148 provisions of the Mississippi Junior College Vocational and
2149 Technical Training Law of 1964 for the construction of new
2150 buildings, renovation or expansion of existing buildings, the
2151 purchase of any new or used instructional equipment, machinery and
2152 instructional facilities, or for any other purpose under the
2153 provisions of said law until approval of the state building
2154 commission is obtained by resolution duly entered upon its
2155 minutes.

2156 **SECTION 68.** Section 37-29-173, Mississippi Code of 1972, is
2157 brought forward as follows:

2158 37-29-173. Local funds made available to the junior colleges
2159 or supporting funds allocated in support of the Mississippi Junior
2160 College Vocational and Technical Training Law of 1964, or both,
2161 may be used to supplement any other funds that may now be, or that



2162 may hereafter become, available for the purposes of carrying out
2163 the intent of said law. In no event, however, shall any
2164 expenditures be made under the provisions of said law unless the
2165 amount of local funds involved shall be equal to or exceed the
2166 amount of state funds made available for the projects or programs
2167 involved.

2168 **SECTION 69.** Section 37-29-175, Mississippi Code of 1972, is
2169 brought forward as follows:

2170 37-29-175. If a junior college now or hereafter establishes
2171 facilities for the industrial training of students and it appears
2172 to the board of trustees of the junior college district that the
2173 training of students will be facilitated by the continuous
2174 operation of such facilities, the trustees are authorized to lease
2175 to individual firms or corporations such facilities or a part
2176 thereof upon such terms and conditions as the trustees may
2177 approve, provided that all students desirous of securing training
2178 of the kind offered by the lessee shall be given a reasonable
2179 opportunity therefor.

2180 **SECTION 70.** Section 37-29-177, Mississippi Code of 1972, is
2181 brought forward as follows:

2182 37-29-177. Specialized programs in vocational and vocational
2183 technical education which are not available to students in their
2184 home districts, but which are offered in other districts, shall be
2185 available to such students on a non out of district fee basis.



2186 **SECTION 71.** Section 37-29-231, Mississippi Code of 1972, is
2187 brought forward as follows:

2188 37-29-231. (1) The provisions of Sections 37-103-1 through
2189 37-103-29 relating to the legal residence of and tuition to be
2190 charged any student applying for admission to state educational
2191 institutions shall be applicable to the boards of trustees of each
2192 junior college district in the state and to the administrative
2193 authorities of each such junior college governed by said board.

2194 (2) (a) The board of trustees of each community or junior
2195 college is authorized, in its discretion and as deemed necessary,
2196 to enter into contract with a municipality as authorized under
2197 Section 21-25-23, or into an interlocal agreement with the county
2198 governing authority of the county wherein the community or junior
2199 college is located if situated outside of the incorporated limits
2200 of any city or municipality therein, to provide fire protection
2201 and first responder services to the main campus of the community
2202 or junior college for which the contract or interlocal agreement
2203 was entered. In addition to fire protection services, first
2204 responder services shall also include law enforcement services and
2205 emergency medical transportation services.

2206 (b) Upon entering such contract or interlocal
2207 agreement, the board of trustees of the community or junior
2208 college receiving services under the contract or interlocal
2209 agreement may assess each student a fee not to exceed Five Dollars
2210 (\$5.00), each semester to offset the cost associated with the



2211 services provided, which shall be allocated by the board of
2212 trustees to the local governing authority providing first
2213 responder services. This paragraph (b) shall stand repealed on
2214 July 1, 2027.

2215 **SECTION 72.** Section 37-29-232, Mississippi Code of 1972, is
2216 brought forward as follows:

2217 37-29-232. (1) For the purposes of this section:

2218 (a) "Health care professional/vocational technical
2219 academic program" means an academic program in medicine, nursing,
2220 dentistry, occupational therapy, physical therapy, social
2221 services, nutrition services, speech therapy, or other
2222 allied-health professional whose purpose is to prepare
2223 professionals to render patient care services.

2224 (b) "Health care professional/vocational technical
2225 student" means a student enrolled in a health care
2226 professional/vocational technical academic program.

2227 (2) The dean or director of the health care
2228 professional/vocational technical academic program is authorized
2229 to ensure that criminal history record checks and fingerprinting
2230 are obtained on their students before the students begin any
2231 clinical rotation in a licensed health care entity and that the
2232 criminal history record check information and registry checks are
2233 on file at the academic institution. In order to determine the
2234 student's suitability for the clinical rotation, the student shall
2235 be fingerprinted. If no disqualifying record is identified at the



2236 state level, the fingerprints shall be forwarded by the Department
2237 of Public Safety, the Department of Health, or any other legally
2238 authorized entity to the FBI for a national criminal history
2239 record check. The fee for the fingerprinting and criminal history
2240 record check shall be paid by the applicant, not to exceed Fifty
2241 Dollars (\$50.00); however, the academic institution in which the
2242 student is enrolled, in its discretion, may elect to pay the fee
2243 for the fingerprinting and criminal history record check on behalf
2244 of any applicant. Under no circumstances shall the academic
2245 institution representative or any individual other than the
2246 subject of the criminal history record checks disseminate
2247 information received through any such checks except insofar as
2248 required to fulfill the purposes of this section.

2249 (3) If the fingerprinting or criminal history record checks
2250 disclose a felony conviction, guilty plea or plea of nolo
2251 contendere to a felony of possession or sale of drugs, murder,
2252 manslaughter, armed robbery, rape, sexual battery, sex offense
2253 listed in Section 45-33-23(h), child abuse, arson, grand larceny,
2254 burglary, gratification of lust or aggravated assault, or
2255 felonious abuse and/or battery of a vulnerable adult that has not
2256 been reversed on appeal or for which a pardon has not been
2257 granted, the student shall not be eligible to be admitted to the
2258 health care professional/vocational technical academic program of
2259 study. Any preadmission agreement executed by the health care
2260 professional/vocational technical academic program shall be



2261 voidable if the student receives a disqualifying criminal history
2262 record check. However, the administration of the health care
2263 professional/vocational technical academic program may, in its
2264 discretion, allow any applicant aggrieved by the admissions
2265 decision under this section to appear before an appeals committee
2266 or before a hearing officer designated for that purpose, to show
2267 mitigating circumstances that may exist and allow the student to
2268 be admitted to or continue in the program of study. The health
2269 care professional/vocational technical academic program may grant
2270 waivers for those mitigating circumstances, which shall include,
2271 but not be limited to: (a) age at which the crime was committed;
2272 (b) circumstances surrounding the crime; (c) length of time since
2273 the conviction and criminal history since the conviction; (d) work
2274 history; (e) current employment and character references; (f)
2275 other evidence demonstrating the ability of the student to perform
2276 the clinical responsibilities competently and that the student
2277 does not pose a threat to the health or safety of patients in the
2278 licensed health care entities in which they will be conducting
2279 clinical experiences. The health care professional/vocational
2280 technical academic program shall provide assurance to the licensed
2281 health care entity in which the clinical rotation is planned that
2282 the results of a health care professional/vocational technical
2283 student's criminal history record check would not prohibit the
2284 student from being able to conduct his or her clinical activities
2285 in the facility, institution, or organization. The criminal



2286 history record check shall be valid for the course of academic
2287 study, provided that annual disclosure statements are provided to
2288 the health care professional/vocational technical academic program
2289 regarding any criminal activity that may have occurred during the
2290 student's tenure with the health care professional/vocational
2291 technical academic program. The criminal history record check may
2292 be repeated at the discretion of the health care
2293 professional/vocational technical academic program based on
2294 information obtained during the annual disclosure statements. In
2295 extenuating circumstances, if a criminal history record check is
2296 initiated and the results are not available at the time the
2297 clinical rotation begins, the academic institution in which the
2298 student is enrolled, at its discretion, may require a signed
2299 affidavit from the student assuring compliance with this section.
2300 The affidavit will be considered void within sixty (60) days of
2301 its signature.

2302 (4) Criminal history record checks that are done as part of
2303 the requirements for participation in the health care
2304 professional/vocational technical academic program may not be used
2305 for any other purpose than those activities associated with their
2306 program of study. Students who may be employed as health care
2307 professionals outside of their program of study may be required to
2308 obtain additional criminal history record checks as part of their
2309 employment agreement.



2310 (5) No health care professional/vocational technical
2311 academic program or academic program employee shall be held liable
2312 in any admissions discrimination suit in which an allegation of
2313 discrimination is made regarding an admissions decision authorized
2314 under this section.

2315 **SECTION 73.** Section 37-29-261, Mississippi Code of 1972, is
2316 brought forward as follows:

2317 37-29-261. The board of supervisors of any county which
2318 levies a tax for the support of a junior college district may, in
2319 its discretion, permit county road department employees or road
2320 district employees, if any, to operate county-owned equipment and
2321 machinery to assist in the maintenance of the public property on
2322 such junior college campus.

2323 The board of trustees of the junior college district affected
2324 and the board of supervisors may agree as to the terms and
2325 conditions under which such public property may be worked and
2326 supplies or materials may be furnished.

2327 **SECTION 74.** Section 37-29-263, Mississippi Code of 1972, is
2328 brought forward as follows:

2329 37-29-263. Any other provision of law to the contrary
2330 notwithstanding, the various junior colleges of the state are
2331 authorized to defray the cost of providing electronic data
2332 processing equipment out of any available funds acquired from
2333 taxes levied within the junior college district, whether
2334 designated for capital expenditures or operating costs, whether



2335 such equipment is acquired by purchase, lease or under any other
2336 form of contract. However, no such funds shall be expended unless
2337 the acquisition of such equipment has been approved by the central
2338 data processing authority.

2339 **SECTION 75.** Section 37-29-265, Mississippi Code of 1972, is
2340 brought forward as follows:

2341 37-29-265. The municipalities of Mississippi and the
2342 municipal separate school districts in Mississippi are hereby
2343 authorized and empowered to issue municipal bonds or municipal
2344 separate school district bonds to aid in procuring the
2345 establishment, location, and maintenance of junior colleges which
2346 have been or may hereafter be established. Said bonds shall be
2347 issued as provided by law. The proceeds of the sale of said bonds
2348 may be used for the purchase of lands, buildings or for erecting
2349 buildings, or in any way to aid in the establishment and
2350 maintenance of junior colleges.

2351 **SECTION 76.** Section 37-29-267, Mississippi Code of 1972, is
2352 brought forward as follows:

2353 37-29-267. Any municipality, county or counties, acting
2354 alone or jointly with other counties or municipalities, which have
2355 organized or shall hereafter organize a junior college under the
2356 provisions of Sections 37-29-1 through 37-29-273, shall be
2357 authorized to purchase lands or buildings for such college for
2358 cash or upon the installment plan. The deferred balance shall not
2359 bear interest in excess of that allowed for tax anticipation notes



2360 in Section 75-17-105, Mississippi Code of 1972, and any deferred
2361 balance may be secured by a vendor's lien or by promissory notes
2362 and a deed of trust to be executed by the designated
2363 representative of the trustees of the junior college district.

2364 Title to such property shall be taken in the name of the trustees
2365 of such junior college district and their successors in office.

2366 The board of supervisors of such county or counties, or in
2367 the case of a multiple county district the county of location
2368 acting alone or with one or more of the other counties, and the
2369 mayor and board of aldermen or other governing authority of such
2370 municipalities, are hereby authorized to levy annually a
2371 sufficient ad valorem tax to pay the down payment or yearly
2372 installments provided in the deed or deed of trust, or may use the
2373 three (3) mills provided in subsection (2) of Section 37-29-141,
2374 allowed for enlargement and improvements.

2375 At the time of the purchase of said lands or buildings there
2376 shall be entered on the minutes of the board of supervisors of
2377 each county or board of aldermen or other governing authority of
2378 each municipality participating, an order specifying the amount to
2379 be paid for such property and providing for the annual
2380 installments, and obligating the governing authorities of such
2381 county, counties, or municipalities to levy annually a sufficient
2382 ad valorem tax to pay such installment. The funds collected by
2383 such tax levy shall be paid into the hands of the county



2384 superintendent of the county in which such junior college is
2385 located, and disbursed by him as said installments become due.

2386 In the event there is, at the time of the purchase of said
2387 property, an indebtedness due secured by a lien on such property,
2388 then the board of trustees of such junior college district shall
2389 have the authority to assume such indebtedness and pay same as a
2390 part of the purchase price of said property.

2391 The junior college district shall have the privilege of
2392 prepaying all or a portion of the deferred balance at any time
2393 without penalty, and for this purpose may use any appropriate
2394 available funds.

2395 Unneeded land or buildings or facilities located on property
2396 so acquired may be leased, or the buildings may be sold and
2397 removed.

2398 By the authority given in this section for the home county of
2399 a junior college district to purchase land for junior college
2400 purposes, such indebtedness incurred or funds expended cannot
2401 become a binding obligation on other counties in the junior
2402 college district unless the boards of supervisors of such counties
2403 expressly consent thereto.

2404 **SECTION 77.** Section 37-29-268, Mississippi Code of 1972, is
2405 brought forward as follows:

2406 37-29-268. (1) There is hereby created in the State
2407 Treasury a special fund to be designated as the "Community College
2408 Repair and Renovation Fund" which shall consist of monies



2409 appropriated or otherwise made available therefor by the
2410 Legislature. Within the special fund, the State Treasury shall
2411 establish a subaccount for each community and junior college.
2412 Interest earned on monies in the special fund shall be deposited
2413 to the credit of such fund and money shall not lapse at the end of
2414 the fiscal year into the State General Fund. Money in the special
2415 fund shall be appropriated by the Legislature and allocated by the
2416 Bureau of Building, Grounds and Real Property Management,
2417 Department of Finance and Administration, for the repair,
2418 renovation and improvement of existing facilities owned by the
2419 community and junior colleges, including utility infrastructure
2420 projects; heating, ventilation and air conditioning systems; and
2421 the replacement of furniture and equipment. However, the cost of
2422 such repair, renovation and improvement for any one (1) project
2423 shall not exceed One Million Dollars (\$1,000,000.00).

2424 (2) Monies in the special fund shall be allocated to each
2425 community college's subaccount as follows:

2426 (a) One-half (1/2) divided equally among the fifteen
2427 (15) public community and junior colleges; and

2428 (b) One-half (1/2) divided upon the basis of the number
2429 of full-time academic, technical and vocational public community
2430 and junior college students actually enrolled and in attendance on
2431 the last day of the sixth week of the fall semester of the
2432 preceding year counting only those students who reside within the
2433 State of Mississippi. On or before December 1 of each year, the



2434 Mississippi Community College Board shall furnish the Bureau of
2435 Building, Grounds and Real Property Management, Department of
2436 Finance and Administration, the enrollment information required in
2437 this paragraph (b), including the percentage of statewide
2438 enrollment attributed to each community and junior college.

2439 (3) For the purposes of this section, the term "furniture
2440 and equipment" shall be limited to the types of furniture and
2441 equipment items previously recorded in the community college's
2442 inventory.

2443 **SECTION 78.** Section 37-29-269, Mississippi Code of 1972, is
2444 brought forward as follows:

2445 37-29-269. Nothing in Sections 37-29-1 through 37-29-273
2446 shall be construed to repeal any statute relating to county
2447 agricultural high schools, and it is expressly provided that such
2448 schools may be operated in conjunction with junior colleges.
2449 However, when so operated they shall be under control of the
2450 president and boards of trustees of the junior college districts.

2451 Any agricultural high school which is not located on or
2452 adjacent to an existing junior college shall continue to be
2453 operated as heretofore and shall in no way be affected by the
2454 provisions of Sections 37-29-1 through 37-29-273.

2455 When a junior college through the agricultural high school
2456 provides high school facilities of any school district, then the
2457 pupils from that district may be enumerated as other pupils in the
2458 common schools and the school district or county superintendent



2459 may pay to the junior college tuition such as determined by the
2460 State Department of Education for any other schools, and no
2461 agricultural high school funds shall be disbursed for pupils for
2462 whom such tuition is paid.

2463 **SECTION 79.** Section 37-29-273, Mississippi Code of 1972, is
2464 brought forward as follows:

2465 37-29-273. The county superintendent of education of a
2466 county in which there is located and operated a legally
2467 constituted municipal junior college may provide for the
2468 attendance of pupils residing in the county of which he is
2469 superintendent of education at such municipal junior college, and
2470 pay for same by certificate drawn by him on the special junior
2471 college fund. Said fund shall be raised by a levy made by the
2472 board of supervisors upon the recommendation of the county board
2473 of education. However, the amount so paid shall not be greater
2474 than the pro rata share of such pupils in the actual cost of
2475 incidentals and tuition of such municipal junior college.

2476 **SECTION 80.** Section 37-29-275, Mississippi Code of 1972, is
2477 brought forward as follows:

2478 37-29-275. Any act, which, if committed within the limits of
2479 a city, town or village, or in any public place, would be a
2480 violation of the general laws of this state, shall be criminal and
2481 punishable if done on the campus, grounds or roads of any of the
2482 state-supported junior colleges. The peace officers duly
2483 appointed by the board of trustees of state-supported community or



2484 junior colleges or officers of private security firms licensed by
2485 the State of Mississippi contracted by the boards of trustees of
2486 state-supported community/junior colleges are vested with the
2487 powers and subjected to the duties of a constable for the purpose
2488 of preventing and punishing all violations of law on
2489 state-supported junior college grounds and for preserving order
2490 and decorum thereon. Peace officers appointed by the boards of
2491 trustees or officers of private security firms licensed by the
2492 State of Mississippi contracted by the boards of trustees shall
2493 have authority to bear arms in order to carry out their law
2494 enforcement responsibilities if such officers have been certified
2495 according to the minimum standards established by the Board on Law
2496 Enforcement Officer Standards and Training. The peace officers
2497 duly appointed by the boards of trustees of public
2498 community/junior colleges are also vested with the powers and
2499 subjected to the duties of a constable for the purpose of
2500 preventing all violations of law that occur within five hundred
2501 (500) feet of any property owned by the college, if reasonably
2502 determined to have a possible impact on the safety of students,
2503 faculty or staff of the college while on said property. Provided,
2504 however, that nothing in this section shall be interpreted to
2505 require action by any such peace officer appointed by a college to
2506 events occurring outside the boundaries of college property, nor
2507 shall any such college or its employees be liable for any failure
2508 to act to any event occurring outside the boundaries of property



2509 owned by the college. If a law enforcement officer is duly
2510 appointed to be a peace officer by a college under this section,
2511 the board of trustees of the public community/junior college may
2512 enter into an interlocal agreement with other law enforcement
2513 entities for the provision of equipment or traffic control duties,
2514 however, the duty to enforce traffic regulations and to enforce
2515 the laws of the state or municipality off of college property lies
2516 with the local police or sheriff's department which cannot
2517 withhold its services solely because of the lack of such an
2518 agreement.

2519 **SECTION 81.** Section 37-29-277, Mississippi Code of 1972, is
2520 brought forward as follows:

2521 37-29-277. When the board of trustees of any community or
2522 junior college or educational building corporation created under
2523 Sections 37-29-601 through 37-29-613 acquires auxiliary facilities
2524 by lease, lease-purchase or service contract, or borrows money to
2525 purchase the property, the board of trustees or educational
2526 building corporation shall obtain business interruption insurance
2527 in an amount sufficient to pay lease payments or debt service
2528 payments for the period of time required to restore or rebuild
2529 leased or financed facilities damaged or destroyed by a
2530 catastrophic event such as a fire, storm, tornado or earthquake.

2531 **SECTION 82.** Section 37-29-305, Mississippi Code of 1972, is
2532 brought forward as follows:



2533 37-29-305. (1) In funding community and junior colleges,
2534 the actual amount of the annual appropriation of the community and
2535 junior colleges general support bill shall be computed as follows:

2536 (a) Calculate the state funding per student for Grades
2537 K-12 by dividing the total revenue from state funds by the ADA.
2538 Both the funding and ADA figures shall be provided by the State
2539 Department of Education.

2540 (b) Calculate the state funding per FTE for regional
2541 universities by dividing the state funds for E & G operations by
2542 FTE enrollment. Both funding and enrollment figures shall come
2543 from the SREB State Data Exchange.

2544 (c) Mid-level funding for community and junior colleges
2545 shall be the average as computed from paragraphs (a) and (b) of
2546 this subsection multiplied by the total community and junior
2547 college FTEs. This amount shall be appropriated annually by the
2548 Legislature to the community and junior colleges.

2549 (2) Data used in the calculation of paragraphs (a), (b) and
2550 (c) of subsection (1) shall be the most current available data
2551 utilizing the same fiscal year for all entities involved.
2552 Information from the SREB State Data Exchange shall be used to
2553 ensure common denominators in the calculation of FTE enrollment
2554 and to ensure consistent reporting of financial data.

2555 **SECTION 83.** Section 37-29-321, Mississippi Code of 1972, is
2556 brought forward as follows:



2557 37-29-321. (a) (i) A special fund, to be designated as the
2558 "2022 Community and Junior Colleges Capital Improvements Fund," is
2559 created within the State Treasury. The fund shall be maintained
2560 by the State Treasurer as a separate and special fund, separate
2561 and apart from the General Fund of the state. Unexpended amounts
2562 remaining in the fund at the end of a fiscal year shall not lapse
2563 into the State General Fund, and any interest earned or investment
2564 earnings on amounts in the fund shall be deposited into such fund.
2565 Monies in the fund may not be used or expended for any purpose
2566 except as authorized under this section.

2567 (ii) Monies deposited into the fund shall be
2568 disbursed, in the discretion of the Department of Finance and
2569 Administration, to pay the costs of acquisition of real property,
2570 construction of new facilities, equipping and furnishing
2571 facilities, including furniture and technology equipment and
2572 infrastructure, and addition to or renovation of existing
2573 facilities for community and junior college campuses as
2574 recommended by the Mississippi Community College Board. The
2575 amount to be expended at each community and junior college is as
2576 follows:

2577	Coahoma.....	\$ 1,570,500.00
2578	Copiah-Lincoln.....	1,840,500.00
2579	East Central.....	1,735,500.00
2580	East Mississippi.....	2,015,500.00
2581	Hinds.....	3,780,500.00



2582	Holmes.....	2,656,500.00
2583	Itawamba.....	2,415,500.00
2584	Jones.....	2,295,500.00
2585	Meridian.....	1,840,500.00
2586	Mississippi Delta.....	1,655,500.00
2587	Mississippi Gulf Coast.....	3,357,500.00
2588	Northeast Mississippi.....	2,145,500.00
2589	Northwest Mississippi.....	3,500,000.00
2590	Pearl River.....	2,545,500.00
2591	Southwest Mississippi.....	1,645,500.00
2592	GRAND TOTAL.....	\$35,000,000.00

2593 (b) Amounts deposited into such special fund shall be
 2594 disbursed to pay the costs of projects described in paragraph (a)
 2595 of this section. If any monies in such special fund are not used
 2596 within four (4) years after the date funds are transferred under
 2597 Section 2 of Chapter 510, Laws of 2022, from the Capital Expense
 2598 Fund created in Section 27-103-303, Mississippi Code of 1972, into
 2599 the special fund, then the community college or junior college for
 2600 which any such monies are allocated under paragraph (a) of this
 2601 section shall provide an accounting of such unused monies to the
 2602 Department of Finance and Administration.

2603 (c) The Department of Finance and Administration,
 2604 acting through the Bureau of Building, Grounds and Real Property
 2605 Management, is expressly authorized and empowered to receive and
 2606 expend any local or other source funds in connection with the



2607 expenditure of funds provided for in this section. The
2608 expenditure of monies deposited into the special fund shall be
2609 under the direction of the Department of Finance and
2610 Administration, and such funds shall be paid by the State
2611 Treasurer upon warrants issued by such department, which warrants
2612 shall be issued upon requisitions signed by the Executive Director
2613 of the Department of Finance and Administration, or his designee.

2614 **SECTION 84.** Section 37-29-401, Mississippi Code of 1972, is
2615 brought forward as follows:

2616 37-29-401. There is hereby created a junior college district
2617 comprised of the territory lying within Harrison, Stone, George
2618 and Jackson Counties and having boundaries coinciding with the
2619 external boundaries thereof.

2620 The name of the said junior college district shall be the
2621 Mississippi Gulf Coast Junior College District of Mississippi and
2622 the said district shall be and the same is hereby constituted a
2623 legal political governmental subdivision and a body corporate.

2624 **SECTION 85.** Section 37-29-403, Mississippi Code of 1972, is
2625 brought forward as follows:

2626 37-29-403. All of the property belonging to the board of
2627 trustees of Perkinston Junior College and all of the property
2628 belonging to either or all of the counties prior to and as of May
2629 10, 1962, cooperating in the Perkinston Junior College or the
2630 agricultural high school junior college located at Perkinston,
2631 Mississippi and utilized or held for the present or future use and



benefit of said junior college and/or agricultural high school junior college shall be and the same is hereby transferred to and vested in the Mississippi Gulf Coast Junior College District.

SECTION 86. Section 37-29-405, Mississippi Code of 1972, is brought forward as follows:

37-29-405. The Mississippi Gulf Coast Junior College District shall be under the executive direction of a president elected by the board of trustees of said district.

SECTION 87. Section 37-29-407, Mississippi Code of 1972, is brought forward as follows:

37-29-407. The president of the junior college shall have the power to recommend to the trustees all teachers to be employed and he may remove or suspend any member of the faculty subject to the approval of the trustees. He shall be the general manager of all fiscal and administrative affairs of the district with full authority to select, direct, employ and discharge any and all employees other than teachers.

The president shall have the authority, subject to the provisions of Sections 37-29-401 through 37-29-437 and the approval of the trustees, to arrange and survey courses of study, fix schedules, and establish and enforce rules and discipline for the governing of teachers and students. He shall be the general custodian of the property of the district.

SECTION 88. Section 37-29-409, Mississippi Code of 1972, is brought forward as follows:



2657 37-29-409. The operation and control of the Mississippi Gulf
2658 Coast Junior College District and the college or colleges operated
2659 therein shall be vested in a board of trustees representing each
2660 of the four (4) counties lying within the district. The board of
2661 trustees shall consist of twenty-three (23) members. Of the said
2662 number Harrison County shall be entitled to eight (8) members,
2663 Stone County shall be entitled to three (3) members, George County
2664 shall be entitled to three (3) members and Jackson County shall be
2665 entitled to eight (8) members. In no event in the future shall
2666 any of the counties have more than the number hereinabove
2667 established. The members of the board of trustees from each
2668 county shall be elected by the board of supervisors of the county.
2669 Except as hereinafter specified the term of office of each trustee
2670 shall be five (5) years. The members of the board of trustees
2671 serving on July 1, 1989, shall continue to serve until their terms
2672 expire. All shall be appointed for a term of five (5) years each.
2673 There shall be one (1) additional member of the board who shall
2674 be selected by the members of the board of trustees who shall
2675 reside alternatively in Jackson and Harrison Counties, with the
2676 initial appointment to be made from Jackson County for a term of
2677 five (5) years.

2678 **SECTION 89.** Section 37-29-411, Mississippi Code of 1972, is
2679 brought forward as follows:

2680 37-29-411. The Board of Trustees of the Mississippi Gulf
2681 Coast Junior College District shall have the powers to do all



things necessary to the successful operation of the said district and the college or colleges or attendance centers located therein.

The several colleges of the said district shall be under the direction of the board of trustees and the president and under the local supervision of a dean. The board of trustees shall, by resolution or order, provide for the government, maintenance and operation of each of the colleges within the district.

The said junior college district shall have all the powers of other junior college districts or junior colleges in the State of Mississippi and the delineation and enumeration of the powers and purposes set out in Sections 37-29-401 through 37-29-437 shall be deemed to be supplemental and additional and shall not be construed to restrict the powers of the governing authorities of the district or of any college located therein so as to deny to the said district and the colleges therein the rights, privileges and powers enjoyed by other junior colleges and junior college districts in the State of Mississippi.

The said junior college district shall remain subject to the jurisdiction and control of the Mississippi Community College Board as now established or as the same may be hereafter changed by law, and shall be subject to all rules and regulations and all statutory limitations which are now in effect or may hereafter be imposed, except as the same may be in direct conflict with the provisions of Sections 37-29-401 through 37-29-437.



2706 **SECTION 90.** Section 37-29-413, Mississippi Code of 1972, is
2707 brought forward as follows:

2708 37-29-413. The Mississippi Gulf Coast Junior College
2709 District is hereby authorized and empowered to operate junior
2710 college attendance centers at Perkinston, Mississippi, in the
2711 vicinity of Gulfport and Biloxi and in the vicinity of Pascagoula
2712 and Moss Point and at such other places within the district,
2713 subject to the approval of the Mississippi Community College
2714 Board, as the board of trustees shall determine to be in the best
2715 interest of the district.

2716 **SECTION 91.** Section 37-29-415, Mississippi Code of 1972, is
2717 brought forward as follows:

2718 37-29-415. The board of trustees of the Mississippi Gulf
2719 Coast Junior College District shall, on or before the fifteenth
2720 day of June each year, prepare and file the annual budget of the
2721 district. The said budget shall contain a detailed estimate of
2722 the revenues and expenses anticipated for the ensuing year for
2723 general operation and maintenance and shall set forth the
2724 reasonable requirements for anticipated needs for capital outlays
2725 for land, buildings, initial equipment for new buildings and major
2726 repairs, a reasonable accumulation for such purposes being hereby
2727 expressly authorized. Funds derived from the levy for capital
2728 outlay shall be kept in a separate account and expended for
2729 capital outlay purposes only.



2730 **SECTION 92.** Section 37-29-417, Mississippi Code of 1972, is
2731 brought forward as follows:

2732 37-29-417. The trustees of the Mississippi Gulf Coast Junior
2733 College District are authorized to execute oil, gas and mineral
2734 leases on any of the property of the district but such leases
2735 shall not extend for a term beyond five (5) years unless oil, gas
2736 or other minerals shall be in production under said leases at the
2737 expiration of said period. The terms and conditions of said
2738 lease, within the limitations above set out, shall be for the
2739 determination and within the discretion of the trustees.

2740 **SECTION 93.** Section 37-29-419, Mississippi Code of 1972, is
2741 brought forward as follows:

2742 37-29-419. When any land or other property owned by the
2743 Mississippi Gulf Coast Junior College District shall cease to be
2744 used or needed by the district, the same may be sold by the board
2745 of trustees upon sealed bids after three weeks' advertisement in a
2746 newspaper in the county where the said property is located.
2747 Personal property having a value determined by the board of less
2748 than Five Hundred Dollars (\$500.00) may be sold without such
2749 advertisement; however, in such event notice shall be posted in at
2750 least three public places in the county where such property is
2751 situated or where it is to be sold, giving notice of the time and
2752 place of such sale, and such property shall be sold to the highest
2753 and best bidder for cash. Such notice shall be posted for ten
2754 days before the sale.



2755 **SECTION 94.** Section 37-29-421, Mississippi Code of 1972, is
2756 brought forward as follows:

2757 37-29-421. The Mississippi Gulf Coast Junior College
2758 District is charged with the responsibility for providing pre
2759 professional courses, liberal arts, technical, vocational, and
2760 adult education courses and shall undertake to provide the same as
2761 conveniently as is possible to the residents of the district and
2762 to this end the board of trustees is authorized and empowered to
2763 transport such students as, in its discretion, should be
2764 transported in the best interest of the district.

2765 **SECTION 95.** Section 37-29-423, Mississippi Code of 1972, is
2766 brought forward as follows:

2767 37-29-423. The Mississippi Gulf Coast Junior College
2768 District, in the discretion of the board of trustees, may charge
2769 fees and tuitions in accordance with Section 37-103-25.

2770 **SECTION 96.** Section 37-29-425, Mississippi Code of 1972, is
2771 brought forward as follows:

2772 37-29-425. The board of trustees of the Mississippi Gulf
2773 Coast Junior College District may borrow money in anticipation of
2774 taxes not to exceed fifty percent (50%) of the previous year's ad
2775 valorem tax receipts for the purpose of paying any expenses
2776 authorized by law for the operation, maintenance and support of
2777 the colleges. The loan shall be evidenced by note or notes
2778 bearing the signature of the president and of the secretary of the
2779 board of trustees and the seal of the college shall be thereon



2780 impressed. Said notes shall mature not later than the first day
2781 of April next thereafter and the same shall not bear interest in
2782 excess of that allowed in Section 75-17-105, Mississippi Code of
2783 1972.

2784 **SECTION 97.** Section 37-29-427, Mississippi Code of 1972, is
2785 brought forward as follows:

2786 37-29-427. In the event that bonds shall have been
2787 authorized for projects determined by the board of trustees of the
2788 Mississippi Gulf Coast Junior College District and such bonds
2789 validated, the board of trustees is authorized to utilize any
2790 available funds for the immediate commencement of such project and
2791 to reimburse the funds from which any such expenditures are made
2792 from the proceeds of the bonds when the same are received.

2793 **SECTION 98.** Section 37-29-429, Mississippi Code of 1972, is
2794 brought forward as follows:

2795 37-29-429. When the board of trustees of the Mississippi
2796 Gulf Coast Junior College District shall determine that it is
2797 necessary to procure additional funds by issuance of bonds for the
2798 purpose of making capital outlays for the construction and
2799 equipping of buildings, athletic fields, other structures, and
2800 related facilities, or for making repairs or providing funds for
2801 use in conjunction with funds provided by or available from any
2802 governmental, public or private source by loan, donation, matching
2803 program or grant, it may adopt a resolution declaring the
2804 necessity for said funds, that the same are unavailable from other



2805 sources and declare the purpose for which said funds are required
2806 and to be expended which purposes may, in addition to the
2807 foregoing, include any and all of the purposes for which school
2808 district bonds may be issued. In its said resolution the board of
2809 trustees shall determine and adjudge that the said bonds when
2810 issued will not result in the imposition on the property of the
2811 district of an indebtedness of more than five percent of the
2812 assessed valuation of the taxable property in the junior college
2813 district for junior college purposes, according to the latest
2814 completed assessment for taxation, shall specify the maximum
2815 amount in which said bonds may be issued, give the general
2816 proposed schedule of maturities and the details with respect to
2817 said bonds. In all matters where not otherwise herein provided
2818 the said bonds shall conform to the provisions of law governing
2819 school district bonds. Upon request of the board of trustees the
2820 clerk of the chancery court of each county shall furnish his
2821 certificate showing the totals of the latest completed assessment
2822 for taxation of all taxable property of the county, including
2823 motor vehicles.

2824 Said resolution may call upon the boards of supervisors of
2825 the several counties to require an election to be called to
2826 determine whether or not the said bonds shall be issued or it may,
2827 in the discretion of said board of trustees, determine to issue
2828 the said bonds unless protest shall be filed and an election
2829 called pursuant thereto as set out in Section 37-29-431. In the



2830 event that the board of trustees shall determine to cause an
2831 election to be called as above mentioned, the election shall be
2832 held and the results thereof ascertained and given effect in the
2833 manner as is set out in Section 37-29-431 and provided for in
2834 cases where an election is called upon the petition of twenty
2835 percent (20%) of the qualified electors of the county.

2836 Prior to its resolution determining to issue said bonds or
2837 call an election thereon, the board of trustees of the junior
2838 college district shall inform the board of supervisors of each of
2839 the counties of its proposal and may be required, by the board of
2840 supervisors of any county, to cause to be made a survey, by one or
2841 more impartial experts, of the building needs of the district,
2842 setting out the same in the order of priority. If such a survey
2843 has been conducted within the past twenty four (24) months a new
2844 one shall not be required but the board of supervisors for the
2845 several counties shall be furnished with copies of the survey.

2846 **SECTION 99.** Section 37-29-431, Mississippi Code of 1972, is
2847 brought forward as follows:

2848 37-29-431. If the board of trustees of the Mississippi Gulf
2849 Coast Junior College District shall not elect itself to cause an
2850 election to be held, it shall immediately upon the adoption of the
2851 resolution mentioned in Section 37-29-429 certify the same to the
2852 boards of supervisors of each county and immediately cause notice
2853 of the proposed issuance of said bonds to be published once a week
2854 for three (3) consecutive weeks in each of the four (4) counties



2855 of the district in a newspaper having general circulation therein.
2856 Said notice shall state that the determination to issue said bonds
2857 has been made by the board of trustees and the same will be issued
2858 unless, within thirty (30) days after the first publication of
2859 said notice, a petition signed by at least ten percent (10%) or
2860 twenty-five hundred (2500), whichever is less, of the qualified
2861 electors of the county shall be filed with the board of
2862 supervisors of the county protesting against the issuance of said
2863 bonds and seeking an election with respect thereto. If no protest
2864 be filed, the clerk of the board of supervisors shall immediately
2865 so certify to the secretary of the board of trustees of the junior
2866 college district and the said bonds may be then issued as
2867 proposed.

2868 If ten percent (10%) or twenty-five hundred (2500), whichever
2869 is less, of the qualified electors of any of the counties shall
2870 file their protest with the clerk of the board of supervisors of
2871 the county demanding an election on the issuance of said bonds,
2872 the board of supervisors shall promptly meet and consider said
2873 petition. If the said board shall find the petition to be
2874 sufficient, it shall enter an order directing the election
2875 commission of said county to cause an election to be held in the
2876 said county, fixing the date therefor in the order, to determine
2877 whether or not bonds shall be issued for the purposes set out in
2878 the resolution of the board of trustees and in the maximum amount
2879 therein provided. It shall thereupon become the duty of the



2880 election commissioners of the county to hold said election on the
2881 date fixed by the board of supervisors. Said election shall be
2882 held as nearly as is practicable in accordance with the laws
2883 governing general elections, and three (3) weeks notice of said
2884 election shall be given by publication in a newspaper having
2885 general circulation in the county. The ballot used shall
2886 substantially describe the bond issue proposal and electors shall
2887 be permitted to vote for the bond issue or against the bond issue.

2888 Within three (3) days, Sundays and legal holidays excluded,
2889 after the holding of said election, the election commissioners
2890 shall certify to the board of trustees of the junior college
2891 district and to the board of supervisors of the county the result
2892 of said election. If after all of the elections have been held in
2893 the counties where the same have been called and the results
2894 thereof duly certified, the board of trustees shall determine that
2895 the majority of the qualified electors voting in any two (2)
2896 counties of the district, one (1) of which shall border on the
2897 Gulf of Mexico, shall have voted for the said bond issue, then the
2898 said bonds may be issued; otherwise the said bonds shall not be
2899 issued as proposed.

2900 If an election on the issuance of the bonds shall have been
2901 called in any county and it shall appear that no elections are
2902 being called in other counties or in a sufficient number of
2903 counties to result in an effective election, then the board of
2904 supervisors of the county having called the election may give



2905 notice of the cancellation thereof at any time prior to the actual
2906 date of said election.

2907 **SECTION 100.** Section 37-29-433, Mississippi Code of 1972, is
2908 brought forward as follows:

2909 37-29-433. If it shall be determined to proceed with the
2910 issuance of the said bonds the same may be validated and sold as
2911 other bonds of the county or counties except that the sale shall
2912 be made by the board of trustees of the Mississippi Gulf Coast
2913 Junior College District and the validation proceedings may be held
2914 before the chancery court of any county of the district. Notice
2915 of the validation herein shall, however, be published as provided
2916 by law in each of the counties of the district.

2917 **SECTION 101.** Section 37-29-435, Mississippi Code of 1972, is
2918 brought forward as follows:

2919 37-29-435. All bonds issued by authority of Sections
2920 37-29-401 through 37-29-437 shall be full faith and credit bonds
2921 of the Mississippi Gulf Coast Junior College District. It shall
2922 be the duty of the board of trustees to request and the county
2923 board of supervisors to levy annually a tax on all of the taxable
2924 property of each county in the district sufficient to meet the
2925 principal and interest falling due on said bonds during the year
2926 for which said taxes are levied.

2927 **SECTION 102.** Section 37-29-437, Mississippi Code of 1972, is
2928 brought forward as follows:



2929 37-29-437. After the budget shall have been prepared as is
2930 provided for in Section 37-29-415, the Board of Trustees of the
2931 Mississippi Gulf Coast Junior College District shall certify the
2932 same in writing to the boards of supervisors of the several
2933 counties and shall certify to the said boards of supervisors the
2934 number of mills of ad valorem taxation required to make provisions
2935 for the revenue required in said budget. It shall thereupon
2936 become the duty of the board of supervisors of each of the four
2937 (4) counties to levy the taxes in the number of mills specified by
2938 the board of trustees. The tax levy for maintenance and operation
2939 of the district shall not exceed four (4) mills nor shall the levy
2940 for capital outlay, including purchase of lands, construction and
2941 equipment of buildings and structures, making of major repairs,
2942 and for the retirement of bonds, exceed three (3) mills.

2943 Promptly upon having certified the requirements of the
2944 district to the several boards of supervisors the board of
2945 trustees of the district shall cause publication of notice to be
2946 made in each county in a newspaper published or having general
2947 circulation therein giving notice of the filing of the request for
2948 the levy aforesaid. Said notice shall be published at least one
2949 time and within ten (10) days after the certification of the
2950 request for such levy to the boards of supervisors. The said
2951 notice shall provide that the said levy requested will be made in
2952 each county unless a petition signed by twenty percent (20%) of
2953 the qualified electors of the district shall be filed with the



2954 secretary of the board of trustees of the said district within
2955 thirty (30) days from the date of the first publication protesting
2956 against the said levy and demanding an election thereon. In the
2957 event of the filing of such a petition, it shall be the duty of
2958 the secretary forthwith to call a special meeting of the board of
2959 trustees of the district setting forth the fact of the filing of
2960 such petition in the notice of the call and the said board shall
2961 promptly meet and consider the said petition. If it shall find
2962 that the same does in fact protest against the said levies and is
2963 in fact signed by at least twenty percent (20%) of the qualified
2964 electors of the said district, it shall then so certify to the
2965 boards of supervisors of the several counties. As early as
2966 possible but not later than fifteen (15) days after the receipt of
2967 such notice, it shall be the duty of the board of supervisors of
2968 each county to enter an order directing the election commissioners
2969 of the county to proceed to hold an election in all of the voting
2970 precincts of said county to determine whether or not the levy
2971 shall be made as requested by the board of trustees of the
2972 district.

2973 The said election shall be held within thirty (30) days from
2974 the date of the said order of the board of supervisors requesting
2975 that the same be called and notice thereof shall be published once
2976 a week for three (3) weeks during the period between the order
2977 directing the election commissioners to hold the same and the
2978 actual date thereof.



2979 The election shall be held in accordance with the laws
2980 governing general elections as nearly as is practicable and the
2981 election commissioners of each county shall, promptly after the
2982 holding of said election, certify to the secretary of the board of
2983 trustees of the district the result thereof in each county,
2984 certifying also the number of qualified electors in each county on
2985 the date of the holding of said election. The board of trustees
2986 of the district shall promptly meet and consider the several
2987 certificates of the election commissioners and shall determine the
2988 result of said election in the district. If it shall be
2989 determined that a majority of the qualified electors of the
2990 district have voted against the levy requested, the same shall not
2991 be made but the board of supervisors in each county shall continue
2992 in effect the levy made for the preceding fiscal year. If it be
2993 determined that a majority of the qualified electors has not voted
2994 against said levy, it shall be the duty of the board of
2995 supervisors of each county to make the levy as requested. In any
2996 event, the levy for full faith and credit bonds outstanding as
2997 obligations of the county before May 10, 1962, for capital outlays
2998 and improvements for Perkinson Junior College and/or bonds
2999 subsequently issued shall be continued in effect in accordance
3000 with the obligations undertaken in the issuance of said bonds.
3001 All of such bond levies, however, as are reasonably required to
3002 meet the annual maturities and interest on outstanding bonds shall
3003 be considered a part of the three-mill maximum above provided for



capital outlays, buildings, purchase of land and other similar items hereinbefore mentioned.

SECTION 103. Section 37-29-451, Mississippi Code of 1972, is brought forward as follows:

37-29-451. There is hereby created the Copiah-Lincoln Junior College District comprised of the territory lying within Adams, Copiah, Franklin, Jefferson, Lawrence, Lincoln and Simpson Counties and having boundaries coinciding with the external boundaries thereof. The said district shall be and is hereby constituted a legal political governmental subdivision and a body corporate. The board of trustees of said district, with the consent of the Mississippi Community College Board, is hereby empowered to change the name of the district.

SECTION 104. Section 37-29-453, Mississippi Code of 1972, is brought forward as follows:

37-29-453. The Copiah Lincoln Junior College District shall be under the executive direction of a president elected by the board of trustees of said district for a term not to exceed four (4) years.

SECTION 105. Section 37-29-455, Mississippi Code of 1972, is brought forward as follows:

37-29-455. The president of the junior college shall have the power to recommend to the trustees all teachers to be employed; and he may remove or suspend any member of the faculty subject to the approval of the trustees. He shall be the general



3029 manager of all fiscal and administrative affairs of the district
3030 with full authority to select, direct, employ and discharge any
3031 and all employees other than teachers; however, the board may make
3032 provisions and establish policies for leave for faculty members
3033 and other key personnel.

3034 The president shall have the authority, subject to the
3035 provisions of Sections 37-29-451 through 37-29-471 and the
3036 approval of the trustees, to arrange and survey courses of study,
3037 fix schedules, and establish and enforce rules and discipline for
3038 the governing of teachers and students. He shall be the general
3039 custodian of the property of the district.

3040 **SECTION 106.** Section 37-29-457, Mississippi Code of 1972, is
3041 brought forward as follows:

3042 37-29-457. (1) The operation and control of the
3043 Copiah-Lincoln Junior College District shall be vested in a board
3044 of trustees representing the seven (7) counties lying within the
3045 district. The said board shall consist of twenty (20) members to
3046 be chosen as follows:

3047 (a) Copiah County shall be entitled to five (5) members
3048 who shall be elected and serve according to Section 37-29-65.

3049 (b) Lincoln County shall be entitled to five (5)
3050 members who shall be elected and serve according to Section
3051 37-29-65.

3052 (c) Lawrence County shall be entitled to one (1) member
3053 who shall be elected and serve according to Section 37-29-65.



3054 (d) Franklin County shall be entitled to one (1) member
3055 who shall be elected and serve according to Section 37-29-65.

3056 (e) Simpson County shall be entitled to one (1) member
3057 who shall be elected and serve according to Section 37-29-65.

3058 (f) Jefferson County shall be entitled to one (1)
3059 member who shall be elected and serve according to Section
3060 37-29-65.

3061 (g) Adams County shall be entitled to five (5) members
3062 who shall be elected from the residents of said county by the
3063 board of supervisors of Adams County within thirty (30) days of
3064 February 4, 1975.

3065 The terms of office for the members shall be five (5) years.
3066 However, upon the first selection of trustees in the county, one
3067 (1) shall be elected for a term of five (5) years, one (1) for a
3068 term of four (4) years, one (1) for a term of three (3) years, one
3069 (1) for a term of two (2) years, and one (1) for a term of one (1)
3070 year, so as to prevent the retirement of more than one (1) member
3071 in any one (1) year. The members elected from Adams County shall
3072 have like qualifications and receive the same compensation as the
3073 members from other counties as provided by Section 37-29-65.

3074 (h) There shall be one (1) member of the board of
3075 trustees who shall be elected by the members of the said board of
3076 trustees from among the residents of the Copiah-Lincoln Junior
3077 College District. Said member so chosen shall serve a five-year



term and have the same powers and duties as the other board members.

(2) Except as provided in paragraph (g) of this subsection (1), persons who are currently serving as members of the Board of Trustees of the Copiah-Lincoln Junior College District shall complete their terms without interruption.

SECTION 107. Section 37-29-459, Mississippi Code of 1972, is brought forward as follows:

37-29-459. The President and the Board of Trustees of the Copiah-Lincoln Junior College District shall have the powers to do all things necessary for the successful operation of said district and the campuses located therein.

The several colleges of the district shall be under the direction of the board of trustees and the president. The board of trustees shall, by resolution or order, provide for the government, maintenance and operation of each campus of the district.

The President and the Board of Trustees of the Copiah-Lincoln Junior College District shall have the same powers as the presidents and trustees of other junior colleges in the State of Mississippi.

The delineation and enumeration of the powers and purposes set out in Sections 37-29-451 through 37-29-471 shall be deemed to be supplemental and additional and shall not be construed to restrict the powers of the governing authorities of the district



3103 or of any college or campus located therein so as to deny any of
3104 the rights, privileges and powers enjoyed by other junior colleges
3105 and junior college districts in the State of Mississippi.

3106 The said Copiah-Lincoln Junior College District shall remain
3107 subject to the jurisdiction and control of the Mississippi
3108 Community College Board as now established or as the same may be
3109 hereafter changed by law, and shall be subject to all rules and
3110 regulations and all statutory limitations which are now in effect
3111 or may hereafter be imposed, except as the same may be in direct
3112 conflict with the provisions of Sections 37-29-451 through
3113 37-29-471.

3114 **SECTION 108.** Section 37-29-461, Mississippi Code of 1972, is
3115 brought forward as follows:

3116 37-29-461. There shall be two (2) campuses in the Copiah
3117 Lincoln Junior College District: one (1) located in or near
3118 Natchez to be known as the Natchez Campus, and the other in or
3119 near Wesson to be known as the Copiah Lincoln Campus.

3120 **SECTION 109.** Section 37-29-463, Mississippi Code of 1972, is
3121 brought forward as follows:

3122 37-29-463. The board of trustees of the Copiah Lincoln
3123 Junior College District shall each year, on or before June 15,
3124 prepare a budget which shall contain a detailed estimate of the
3125 revenues and expenses anticipated for the ensuing year for general
3126 operation and maintenance, and shall set forth the reasonable
3127 requirements for anticipated needs for capital outlays for land,



3128 buildings, initial equipment for new buildings and major repairs,
3129 a reasonable accumulation for such purposes being hereby expressly
3130 authorized.

3131 **SECTION 110.** Section 37-29-465, Mississippi Code of 1972, is
3132 brought forward as follows:

3133 37-29-465. The board of trustees of the Copiah Lincoln
3134 Junior College District shall have the authority to purchase
3135 property, make capital improvements, and lease or use private or
3136 public facilities at either the Copiah Lincoln or Natchez
3137 Campuses, in the discretion of the board.

3138 **SECTION 111.** Section 37-29-467, Mississippi Code of 1972, is
3139 brought forward as follows:

3140 37-29-467. The Copiah Lincoln Junior College District is
3141 charged with the responsibility for providing preprofessional
3142 courses, liberal arts, technical, vocational and adult education
3143 courses, and shall undertake to provide the same as conveniently
3144 as is possible to the residents of the district, and to this end
3145 the board of trustees is authorized and empowered to transport
3146 such students as, in its discretion, should be transported in the
3147 best interest of the district.

3148 **SECTION 112.** Section 37-29-469, Mississippi Code of 1972, is
3149 brought forward as follows:

3150 37-29-469. The board of trustees of the Copiah Lincoln
3151 Junior College District shall have the general borrowing and
3152 bonding authority provided in Sections 37-29-101 through



3153 37-29-127. The said board of trustees shall have the taxation
3154 authority provided in Sections 37-29-141 through 37-29-145.

3155 **SECTION 113.** Section 37-29-471, Mississippi Code of 1972, is
3156 brought forward as follows:

3157 37-29-471. All of the property belonging to the board of
3158 trustees of Copiah Lincoln Junior College and all of the property
3159 belonging to any or all of the counties, prior to and as of the
3160 effective date hereof, cooperating in the Copiah Lincoln Junior
3161 College or the agricultural high school junior college located at
3162 Wesson, Mississippi or the campus in Adams County, Mississippi,
3163 and utilized or held for the present or future use and benefit of
3164 said junior college and/or agricultural high school junior
3165 college, shall be and the same is hereby transferred to and vested
3166 in the Copiah Lincoln Junior College District as created by
3167 Sections 37-29-451 through 37-29-471.

3168 **SECTION 114.** Section 37-29-501, Mississippi Code of 1972, is
3169 brought forward as follows:

3170 37-29-501. There is hereby created a junior college district
3171 comprised of the territory lying within the Meridian Municipal
3172 Separate School District and having boundaries coinciding with the
3173 external boundaries thereof. The name of the said junior college
3174 district shall be the Meridian Junior College District and the
3175 said district shall be and the same is hereby constituted a legal
3176 political governmental subdivision and a body corporate.



3177 **SECTION 115.** Section 37-29-503, Mississippi Code of 1972, is
3178 brought forward as follows:

3179 37-29-503. All of the property owned by the Meridian
3180 Municipal Separate School District utilized by Meridian Junior
3181 College as of September 1, 1979, shall be and the same is hereby
3182 transferred to and vested in the board of trustees of the Meridian
3183 Junior College District and their successors in office.

3184 **SECTION 116.** Section 37-29-505, Mississippi Code of 1972, is
3185 brought forward as follows:

3186 37-29-505. The control and operation of the Meridian Junior
3187 College District shall be vested in a board of trustees appointed
3188 by the city council of the City of Meridian. The board of
3189 trustees of the Meridian Junior College District shall consist of
3190 five (5) members. When the initial appointments are made, the
3191 first appointee shall serve for a term of one (1) year, the second
3192 appointee for a term of two (2) years, the third appointee for a
3193 term of three (3) years, the fourth appointee for a term of four
3194 (4) years and the fifth appointee for a term of five (5) years;
3195 thereafter all appointments shall be for a term of five (5) years.
3196 Trustees of the Meridian Junior College District shall be
3197 appointed by a majority vote of the full membership of the city
3198 council of the City of Meridian at the first meeting of the
3199 council held in the month of February of each year, and the term
3200 of office of each trustee so appointed shall commence on the first
3201 Saturday of March following, except that the existing trustees of



3202 the Meridian Municipal Separate School District as of April 30,
3203 1980, shall constitute the initial board of trustees of the
3204 Meridian Junior College District. As the terms of these
3205 individual trustees expire, trustees for the Meridian Junior
3206 College District shall be appointed as provided herein. All
3207 vacancies shall be filled for unexpired terms by appointment by
3208 majority vote of the full membership of the city council.

3209 **SECTION 117.** Section 37-29-507, Mississippi Code of 1972, is
3210 brought forward as follows:

3211 37-29-507. (1) The Board of Trustees of the Meridian Junior
3212 College District shall have the power to do all things necessary
3213 for the successful operation of the district; and, the duties of
3214 such board shall be the general government of the district and the
3215 direction of the administration thereof.

3216 (2) The Meridian Junior College District shall have all the
3217 powers of other junior colleges and junior college districts in
3218 the State of Mississippi; and, the delineation and enumeration of
3219 the powers and purposes set out in Sections 37-29-501 through
3220 37-29-515 shall not be construed to restrict the powers of the
3221 governing authorities of the district so as to deny to the
3222 district any of the rights, privileges and powers enjoyed by other
3223 junior colleges and junior college districts in the State of
3224 Mississippi.

3225 (3) The Meridian Junior College District shall remain
3226 subject to the jurisdiction and control of the Mississippi



3227 Community College Board as now established or as the same may be
3228 hereafter changed by law and shall be subject to all rules and
3229 regulations and all statutory limitations which are now in effect
3230 or may hereafter be imposed, except as the same may be in direct
3231 conflict with the provisions of Sections 37-29-501 through
3232 37-29-515.

3233 **SECTION 118.** Section 37-29-509, Mississippi Code of 1972, is
3234 brought forward as follows:

3235 37-29-509. (1) The Meridian Junior College District shall
3236 be under the executive direction of a president elected by the
3237 board of trustees of such district.

3238 (2) The president of the community college shall be general
3239 manager of all fiscal and administrative affairs of the district
3240 with full authority to select, employ, direct and discharge any
3241 and all employees other than faculty. He shall have the power to
3242 recommend to the board of trustees all faculty to be employed, and
3243 he may remove or suspend any member of the faculty subject to the
3244 approval of the board of trustees. The president shall have the
3245 authority, subject to the approval of the board of trustees, to
3246 arrange and survey courses of study, fix schedules and establish
3247 and enforce rules and discipline for the governing of faculty and
3248 students. He shall be the general custodian of the property of
3249 the district.

3250 **SECTION 119.** Section 37-29-511, Mississippi Code of 1972, is
3251 brought forward as follows:



3252 37-29-511. The board of trustees of the Meridian Junior
3253 College District shall on or before the twenty-fifth day of June
3254 each year prepare and file the annual budget of the district. The
3255 budget shall contain a detailed estimate of the revenues and
3256 expenses anticipated for the ensuing year for general operation
3257 and maintenance and shall set forth reasonable requirements for
3258 anticipated needs for capital outlays for land, buildings,
3259 equipment and major repairs, a reasonable accumulation for such
3260 purposes being hereby expressly authorized. Funds derived from
3261 the levy for capital outlay shall be kept in a separate account
3262 and expended for capital outlay purposes only.

3263 **SECTION 120.** Section 37-29-513, Mississippi Code of 1972, is
3264 brought forward as follows:

3265 37-29-513. After the annual budget has been prepared, the
3266 Board of Trustees of the Meridian Junior College District shall
3267 certify the same in writing to the City Council of the City of
3268 Meridian and shall certify to the number of mills of ad valorem
3269 taxation required to make provisions for the revenue required in
3270 said budget. It shall thereupon become the duty of the City of
3271 Meridian to levy taxes upon the Meridian Junior College District
3272 in the amount specified by the board of trustees. The tax levy
3273 for maintenance and operation of the Meridian Junior College
3274 District shall not exceed three (3) mills nor shall the levy for
3275 construction exceed an additional three (3) mills.



3276 **SECTION 121.** Section 37-29-515, Mississippi Code of 1972, is
3277 brought forward as follows:

3278 37-29-515. On or before the thirtieth day of each month, the
3279 city council of the City of Meridian shall transmit warrants
3280 constituting all of the revenues received from taxation for the
3281 prior month for purposes of support of the Meridian Junior College
3282 District to the president of the Meridian Junior College. Such
3283 warrant or warrants shall bear indication of revenues received for
3284 general support and maintenance and revenues received for capital
3285 outlay purposes. All such warrants evidencing income from the
3286 authorized tax levies shall be deposited forthwith in one (1) or
3287 more banking institutions and public depositories previously
3288 selected by the board of trustees of the Meridian Junior College
3289 District and spread upon its official minutes. Such funds shall
3290 be paid out of the depository by order of the board of trustees
3291 for lawful purposes only.

3292 **SECTION 122.** Section 37-29-551, Mississippi Code of 1972, is
3293 brought forward as follows:

3294 37-29-551. There is hereby created the Coahoma Community
3295 College District comprised of the territory lying within Coahoma
3296 County, Tunica County, Quitman County, Bolivar County and
3297 Tallahatchie County, and having boundaries coinciding with the
3298 external boundaries thereof. The district shall be, and is hereby
3299 constituted, a legal political governmental subdivision and a body
3300 corporate.



3301 **SECTION 123.** Section 37-29-553, Mississippi Code of 1972, is
3302 brought forward as follows:

3303 37-29-553. The Coahoma Community College District shall be
3304 under the executive direction of a president elected by the board
3305 of trustees of the district for a term not to exceed four (4)
3306 years.

3307 **SECTION 124.** Section 37-29-555, Mississippi Code of 1972, is
3308 brought forward as follows:

3309 37-29-555. The president of the community college shall have
3310 the power to recommend to the trustees all teachers to be
3311 employed; and he may remove or suspend any member of the faculty
3312 subject to the approval of the trustees. He shall be the general
3313 manager of all fiscal and administrative affairs of the district
3314 with full authority to select, direct, employ and discharge any
3315 and all employees other than teachers; however, the board may make
3316 provisions and establish policies for leave for faculty members
3317 and other key personnel.

3318 The president shall have the authority, subject to the
3319 provisions of Sections 37-29-551 through 37-29-569 and the
3320 approval of the trustees, to arrange and survey courses of study,
3321 fix schedules, and establish and enforce rules and discipline for
3322 the governing of teachers and students. He shall be the general
3323 custodian of the property of the district.

3324 **SECTION 125.** Section 37-29-557, Mississippi Code of 1972, is
3325 brought forward as follows:



3326 37-29-557. The operation and control of the Coahoma
3327 Community College District shall be vested in a board of trustees
3328 representing the counties lying within the district. The board
3329 shall consist of fourteen (14) trustees selected in the manner
3330 provided in Section 37-29-65(4), Mississippi Code of 1972.

3331 **SECTION 126.** Section 37-29-559, Mississippi Code of 1972, is
3332 brought forward as follows:

3333 37-29-559. The President and the Board of Trustees of the
3334 Coahoma Community College District shall have the powers to do all
3335 things necessary for the successful operation of the district and
3336 the campuses located therein.

3337 The college of the district shall be under the direction of
3338 the board of trustees and the president. The board of trustees
3339 shall, by resolution or order, provide for the government,
3340 maintenance and operation of the campus of the district.

3341 The President and the Board of Trustees of the Coahoma
3342 Community College District shall have the same powers as the
3343 presidents and trustees of other community colleges in the State
3344 of Mississippi.

3345 The delineation and enumeration of the powers and purposes
3346 set out in Sections 37-29-551 through 37-29-569 shall be deemed to
3347 be supplemental and additional and shall not be construed to
3348 restrict the powers of the governing authorities of the district
3349 or of any college or campus located therein so as to deny any of
3350 the rights, privileges and powers enjoyed by other



3351 community/junior colleges and community/junior college districts
3352 in the State of Mississippi.

3353 The Coahoma Community College District shall remain subject
3354 to the jurisdiction of the Mississippi Community College Board as
3355 now established or as the same may be hereafter changed by law,
3356 and shall be subject to all rules and regulations and all
3357 statutory limitations which are now in effect or may hereafter be
3358 imposed, except as the same may be in direct conflict with the
3359 provisions of Sections 37-29-551 through 37-29-569.

3360 **SECTION 127.** Section 37-29-561, Mississippi Code of 1972, is
3361 brought forward as follows:

3362 37-29-561. The Board of Trustees of the Coahoma Community
3363 College District shall each year, on or before June 15, prepare a
3364 budget which shall contain a detailed estimate of the revenues and
3365 expenses anticipated for the ensuing year for general operation
3366 and maintenance, and shall set forth the reasonable requirements
3367 for anticipated needs for capital outlays for land, buildings,
3368 initial equipment for new buildings and major repairs, a
3369 reasonable accumulation for such purposes being hereby expressly
3370 authorized.

3371 **SECTION 128.** Section 37-29-563, Mississippi Code of 1972, is
3372 brought forward as follows:

3373 37-29-563. The Board of Trustees of the Coahoma Community
3374 College District shall have the authority to purchase property,



3375 make capital improvements, and lease or use private or public
3376 facilities at the campus, in the discretion of the board.

3377 **SECTION 129.** Section 37-29-565, Mississippi Code of 1972, is
3378 brought forward as follows:

3379 37-29-565. The Coahoma Community College District is charged
3380 with the responsibility for providing preprofessional courses,
3381 liberal arts, technical, vocational and adult education courses,
3382 and shall undertake to provide the same as conveniently as is
3383 possible to the residents of the district, and to this end the
3384 board of trustees is authorized and empowered to transport such
3385 students as, in its discretion, should be transported in the best
3386 interest of the district.

3387 **SECTION 130.** Section 37-29-567, Mississippi Code of 1972, is
3388 brought forward as follows:

3389 37-29-567. The Board of Trustees of the Coahoma Community
3390 College District shall have the general borrowing and bonding
3391 authority provided in Sections 37-29-101 through 37-29-127. The
3392 board of trustees shall have the taxation authority provided in
3393 Sections 37-29-141 through 37-29-145.

3394 **SECTION 131.** Section 37-29-569, Mississippi Code of 1972, is
3395 brought forward as follows:

3396 37-29-569. All of the property located in Coahoma County and
3397 belonging to the Board of Trustees of Mississippi Delta Community
3398 College prior to and as of the effective date hereof, cooperating
3399 in the Coahoma County Community College, and utilized or held for



3400 the present or future use and benefit of such community college,
3401 shall be and the same is hereby transferred to and vested in the
3402 Coahoma County Community College District as created by Sections
3403 37-29-551 through 37-29-569.

3404 **SECTION 132.** Section 37-29-571, Mississippi Code of 1972, is
3405 brought forward as follows:

3406 37-29-571. All counties located within the Coahoma Community
3407 College District shall allocate fifty percent (50%) of any millage
3408 levied for the support and maintenance of community colleges by
3409 such county under Section 37-29-141, Mississippi Code of 1972, to
3410 the Coahoma Community College District and the remaining fifty
3411 percent (50%) of such millage to the other community college
3412 district in which such county is located. Provided, however, that
3413 Coahoma County shall allocate one hundred percent (100%) of the
3414 millage levied for the support and maintenance of community
3415 colleges to the Coahoma Community College District. Provided
3416 further, however, for the fiscal year beginning July 1, 1995,
3417 Tunica County's allocation of any millage shall be prorated with
3418 thirty-five percent (35%) being allocated to the Coahoma Community
3419 College District and the remaining sixty-five percent (65%) being
3420 allocated to the Northwest Community College District. From and
3421 after July 1, 1996, the Tunica County millage shall be divided
3422 equally between the Coahoma Community College District and the
3423 Northwest Community College District.



3424 **SECTION 133.** Section 37-29-601, Mississippi Code of 1972, is
3425 brought forward as follows:

3426 37-29-601. Whenever the Mississippi Community College Board
3427 shall, by a proper resolution, declare the necessity of the
3428 formation of nonprofit corporations for the purpose of acquiring
3429 or constructing facilities for community and junior colleges under
3430 its jurisdiction, any number of natural persons, not less than
3431 three (3), who are residents of the State of Mississippi may file
3432 with the Secretary of State an application in writing for
3433 authority to incorporate a public nonprofit corporation, known as
3434 an "educational building corporation." If it shall be made to
3435 appear that each of the persons is a duly qualified resident of
3436 this state, then the persons filing such application shall be
3437 authorized, subject to the prior approval by the board of the form
3438 of the articles of incorporation and bylaws thereof, to proceed to
3439 form the corporation as provided by the general law of this state
3440 with respect to corporations organized not-for-profit except as
3441 provided in Sections 37-29-601 through 37-29-613. The Secretary
3442 of State, upon receipt of the application, shall forthwith issue a
3443 certificate of incorporation.

3444 **SECTION 134.** Section 37-29-603, Mississippi Code of 1972, is
3445 brought forward as follows:

3446 37-29-603. Each corporation formed under the provisions of
3447 Section 37-29-601 shall have the following powers, together with



3448 all powers incidental thereto or necessary to the discharge
3449 thereof in corporate form:

3450 (a) To have succession by its corporate name for the
3451 duration of time, which may be in perpetuity, specified in its
3452 certificate of incorporation;

3453 (b) To sue and be sued and to defend suits against it;

3454 (c) To make use of a corporate seal and to alter it at
3455 pleasure;

3456 (d) To acquire, whether by purchase, construction or
3457 gift, facilities for one or more community or junior college and
3458 land therefor;

3459 (e) To equip, maintain, enlarge or improve such
3460 facilities;

3461 (f) To lease under such terms and conditions as its
3462 board of directors may deem advisable and as shall not conflict
3463 with the provisions of Sections 37-29-601 through 37-29-613 to the
3464 Mississippi Community College Board or to such other entity as may
3465 be approved by the board subject to prior approval by the board of
3466 each issue of bonds;

3467 (g) To issue its bonds for the purpose of defraying the
3468 cost of acquiring, constructing, maintaining, enlarging, improving
3469 or equipping any of such facilities or land in the manner provided
3470 in Section 37-29-601;

3471 (h) To secure the payment of such bonds through the
3472 pledge of and lien on such revenues or other sources of income,



including lease payments, entering into trust agreements, and the making of such covenants as are provided in Section 37-101-101;

(i) To refund bonds previously issued;

(j) To enter into contracts and agreements or do any act necessary for or incidental to the performance of its duties and the execution of its powers under Sections 37-29-601 through 37-29-613;

(k) To accept gifts from any source whatsoever;

(l) To appoint and employ such officers and agents, including attorneys, as its business may require; and

(m) To provide for such insurance as its board of directors may deem advisable.

SECTION 135. Section 37-29-605, Mississippi Code of 1972, is brought forward as follows:

37-29-605. All bonds issued by an educational building corporation may be executed and delivered at any time and from time to time, may be in such form and denominations, may be of such tenor, may be payable in such installments and at such time or times not exceeding thirty (30) years from their date, may be payable at such place or places, may bear interest at such rate or rates payable at such place or places and evidenced in such manner, and may contain such provisions not inconsistent with Sections 37-29-601 through 37-29-613, all as may be provided by resolution of its board of directors. The bonds issued by any such corporation shall be signed by the chairman of its board of



3498 directors or other chief executive officer and attested by its
3499 secretary, and the seal of such corporation shall be affixed
3500 thereto. Any such bonds may be sold at public or private sale in
3501 such manner and from time to time as may be determined by the
3502 board of directors to be most advantageous, and the corporation
3503 may pay all expenses, premiums and commissions which its board of
3504 directors may deem necessary or advantageous in connection with
3505 the authorization, sale and issuance of the bonds. All such bonds
3506 shall be construed to be negotiable instruments, despite the fact
3507 that they are payable solely from a specified source.

3508 **SECTION 136.** Section 37-29-607, Mississippi Code of 1972, is
3509 brought forward as follows:

3510 37-29-607. (1) All bonds issued by an educational building
3511 corporation shall be solely and exclusively obligations of the
3512 corporation and shall not create an obligation or debt of the
3513 State of Mississippi. The state shall not pledge its full faith
3514 or credit for the payment of any debt incurred or bonds issued by
3515 such corporation.

3516 (2) All such bonds shall not constitute a debt of the
3517 community or junior college for which the facilities are to be
3518 constructed.

3519 **SECTION 137.** Section 37-29-609, Mississippi Code of 1972, is
3520 brought forward as follows:

3521 37-29-609. All bonds issued by an educational building
3522 corporation shall be lawful investments for trusts, insurance



3523 companies, savings companies, banks and other financial
3524 institutions organized under the laws of this state.

3525 **SECTION 138.** Section 37-29-611, Mississippi Code of 1972, is
3526 brought forward as follows:

3527 37-29-611. (1) The Mississippi Community College Board is
3528 hereby authorized and empowered, in its discretion, to pass proper
3529 resolutions declaring the necessity of the formation of nonprofit
3530 educational building corporations, as set forth in Section
3531 37-29-601.

3532 (2) When the principal of and the interest on any bonds of
3533 an educational building corporation payable from the revenues
3534 derived from the operation of facilities owned by the corporation
3535 shall have been paid in full, then such facilities shall become
3536 the property of the community or junior college on whose campus
3537 they are located and title to the facilities shall thereupon
3538 immediately vest in the community or junior college on whose
3539 campus they are located.

3540 **SECTION 139.** Section 37-29-613, Mississippi Code of 1972, is
3541 brought forward as follows:

3542 37-29-613. The educational building corporations authorized
3543 under Sections 37-29-601 through 37-29-613, in connection with the
3544 issuance of the bonds in order to secure the payment of such bonds
3545 and interest thereon, shall have power by resolutions:

3546 (a) To fix and maintain fees, rentals and other charges
3547 to be paid by students, faculty members and others using or being



3548 served by facilities for which bonds are issued under Sections
3549 37-29-601 through 37-29-613; however, in fixing such fees, rentals
3550 and other charges, there may be allowed reasonable differentials
3551 based on the condition, type, location and relative convenience of
3552 the facilities in question, but the differentials shall be uniform
3553 as to all such students or faculty members and others similarly
3554 accommodated;

3555 (b) To provide that bonds issued shall be secured by a
3556 first, exclusive and closed lien on, and shall be payable from,
3557 all or any part of the income and revenues derived from fees,
3558 rentals and other charges to be paid by students, faculty members
3559 or others using or being served by any facilities operated at the
3560 community or junior college, and erected, repaired, remodeled,
3561 maintained, added to, extended, improved or acquired under
3562 Sections 37-29-601 through 37-29-613, or any other law, or
3563 otherwise, and not theretofore so pledged;

3564 (c) To pledge and assign to, or in trust for the
3565 benefit of the holder or holders of any bond or bonds, coupon or
3566 coupons so issued, an amount of the income and revenues derived
3567 from fees, rentals and other charges to be paid by students,
3568 faculty members, or others using or being served by any facilities
3569 operated at any community or junior college, and erected,
3570 repaired, remodeled, maintained, added to, extended, improved or
3571 acquired under Sections 37-29-601 through 37-29-613, or any other
3572 law, or otherwise, and not theretofore so pledged, and the



3573 rentals, fees and charges imposed and pledged pursuant to the
3574 terms of this section shall be sufficient to pay when due the
3575 bonds so issued and interest thereon, to create and maintain a
3576 reasonable reserve therefor, and to operate and maintain the
3577 project so constructed, and to create and at all times maintain an
3578 adequate reserve for contingencies and for major repairs and
3579 replacements;

3580 (d) To covenant with or for the benefit of the holder
3581 or holders of any bond or bonds, coupon or coupons so issued to
3582 erect, repair, remodel, maintain, add to, extend, improve or
3583 acquire any facilities, that so long as any of the bonds shall
3584 remain outstanding and unpaid, the institution shall fix, maintain
3585 and collect, in installments as may be agreed upon, an amount of
3586 fees, rentals or other charges from students, faculty members and
3587 others using or being served by any facilities operated at any
3588 community or junior college and erected, repaired, remodeled,
3589 maintained, added to, extended, improved or acquired under
3590 Sections 37-29-601 through 37-29-613, or any other law, or
3591 otherwise, which shall be sufficient to pay when due any bond or
3592 bonds, coupons or coupons so issued, and to create and maintain a
3593 reasonable reserve therefor, and to pay the cost of operation and
3594 maintenance of the facilities against loss or damage by fire and
3595 windstorm or other calamities, in such sum as may be acceptable to
3596 the purchaser or purchasers of the bonds. The rentals, fees and
3597 other charges shall at all times be sufficient to maintain an



3598 adequate bond sinking fund to provide for the payment of interest
3599 on and principal of the bonds as and when they accrue and mature,
3600 to create a reasonable reserve therein and to pay the cost of
3601 operation and maintenance and insurance as herein provided and to
3602 create and at all times maintain an adequate reserve for
3603 contingencies and for major repairs and replacements;

3604 (e) To make and enforce and agree to make and enforce
3605 parietal rules that shall ensure the use of the facility by all
3606 students in attendance at the community or junior college, and
3607 faculty members of the community or junior college, to the maximum
3608 extent the facilities are capable of serving students and faculty,
3609 so long as it does not interfere with any existing contract;

3610 (f) To covenant that as long as any of the bonds so
3611 issued shall remain outstanding and unpaid, it will not, except
3612 upon such terms and conditions as may be determined by the
3613 resolution issuing such bonds:

3614 (i) Voluntarily create, or cause to be created,
3615 any debt, lien, pledge, assignment, encumbrance or other charge
3616 having priority to or being on a parity with the lien of the bonds
3617 so issued upon any of the income and revenues derived from fees,
3618 rentals and other charges to be paid by students, faculty members
3619 and others using or being served by the facilities operated at any
3620 such institution and erected, repaired, remodeled, maintained,
3621 added to, extended, improved or acquired under Sections 37-29-601
3622 through 37-29-613, or any other law, or otherwise;



3623 (ii) Convey or otherwise alienate the facilities,
3624 or the real estate upon which the same shall be located, except at
3625 a price sufficient to pay all the bonds then outstanding payable
3626 from the revenues derived therefrom and interest accrued on such
3627 bonds, and then only in accordance with any agreements with the
3628 holder or holders of such bonds; or

3629 (iii) Mortgage or otherwise voluntarily create, or
3630 cause to be created, any encumbrance on the facility, or the real
3631 estate upon which it shall be located;

3632 (g) To covenant as to the proceedings by which the
3633 terms of any contract with a holder or holders of such bonds may
3634 be amended or rescinded, the amount or percentage of bonds the
3635 holder or holders of which must consent thereto and the manner in
3636 which consent may be given;

3637 (h) To vest in a trustee or trustees the right to
3638 receive all or any part of the income and revenue and proceeds of
3639 insurance pledged and assigned to, or for the benefit of, the
3640 holder or holders of such bonds, and to hold, apply and dispose of
3641 the income and revenue and proceeds of insurance and the right to
3642 enforce any covenant made to secure or pay or in relation to the
3643 bonds;

3644 (i) To execute and deliver, in the name of the
3645 community or junior college for which such bonds are being issued,
3646 a trust agreement or agreements which may set forth the powers and
3647 duties of such trustee or trustees, and limiting the liabilities



3648 of the trustee or trustees, and describing what occurrences shall
3649 constitute events of default and prescribing the terms and
3650 conditions upon which such trustee or trustees or the holder or
3651 holders of bonds of any specified amount or percentage of such
3652 bonds may exercise such right and enforce any and all such
3653 covenants and resort to any remedies as may be appropriate; and

3654 (j) To vest in a trustee or trustees or the holder or
3655 holders of any specified amount or percentage of bonds the right
3656 to apply to any court of competent jurisdiction for and have
3657 granted the appointment of a receiver or receivers of the income
3658 and revenue pledged and assigned to or for the benefit of the
3659 holder or holders of such bonds, which receiver or receivers may
3660 have and be granted powers and duties as are usually granted under
3661 the laws of the State of Mississippi to a receiver or receivers
3662 appointed in connection with the foreclosure of a mortgage made by
3663 a private corporation.

3664 **SECTION 140.** This act shall take effect and be in force from
3665 and after July 1, 2026.

