

By: Representatives McCoy, Holland, Eaton,  
Williams, King, Moss, Bowles, Broomfield,  
Comans, Grist, Holden, Livingston, Manning,  
Maples, Miles, Mitchell, Stringer, Taylor,  
Vince, Walker, Warren, Clark, Coleman (29th),  
Cummings, Hudson, Stevens, Weathersby, Young

To: Education;  
Appropriations

HOUSE BILL NO. 1082  
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 39-5-23, MISSISSIPPI CODE OF 1972, TO  
2 AUTHORIZE THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY TO  
3 CREATE THE MISSISSIPPI LANDMARK GRANT PROGRAM WITHIN THE  
4 DEPARTMENT'S HISTORIC PROPERTIES TRUST FUND FOR THE PURPOSE OF  
5 ENSURING THE PRESERVATION OF PROPERTIES DESIGNATED AS MISSISSIPPI  
6 LANDMARKS; TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO CONTRIBUTE  
7 TO THE DEPARTMENT OF ARCHIVES AND HISTORY FOR THE PURPOSE OF  
8 PROVIDING FUNDS FOR THE LANDMARK GRANT PROGRAM; TO PROVIDE THAT  
9 THE DEPARTMENT OF ARCHIVES AND HISTORY SHALL ADMINISTER THE  
10 MISSISSIPPI LANDMARK GRANT PROGRAM; TO REVISE THE PURPOSES FOR  
11 WHICH FUNDS IN THE HISTORIC PROPERTIES TRUST FUND MAY BE USED; TO  
12 AMEND SECTION 89-12-37, MISSISSIPPI CODE OF 1972, TO ESTABLISH  
13 WITHIN THE ABANDONED PROPERTY FUND AN HISTORIC PROPERTIES  
14 FINANCING FUND WITH THE INCOME TO BE TRANSFERRED QUARTERLY TO THE  
15 MISSISSIPPI LANDMARK GRANT PROGRAM WITHIN THE HISTORIC PROPERTIES  
16 TRUST FUND; AND FOR RELATED PURPOSES.

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

18 SECTION 1. Section 39-5-23, Mississippi Code of 1972, is  
19 amended as follows:

20 39-5-23. (1) The Mississippi Department of Archives and  
21 History is hereby authorized and empowered to solicit and accept  
22 donations, bequests, devises, gifts and grants of money from  
23 individuals, organizations and federal, state and local  
24 governmental bodies, to be deposited in the Historic Properties  
25 Trust Fund which is hereby created in the State Treasury.  
26 Contributions to the Historic Properties Trust Fund may be  
27 undesignated or earmarked for the purpose of acquiring,  
28 preserving, restoring, supporting, operating and administering  
29 Mississippi Landmark properties or for use on specific historical  
30 projects that have been authorized by the Department of Archives  
31 and History. The State Treasurer shall invest all monies in the  
32 Historic Properties Trust Fund as other state funds are authorized  
33 to be invested, and any interest earned shall be deposited into

34 the fund. \* \* \*

35 (2) The Mississippi Department of Archives and History is  
36 hereby authorized and empowered to solicit and accept donations,  
37 bequests, devises, gifts and grants of money and real and personal  
38 property. The Board of Trustees of the Department of Archives and  
39 History may, in its discretion, sell such real and personal  
40 property by public or private sale and shall deposit proceeds  
41 derived from such sale into the Historic Properties Trust Fund.

42 (3) (a) The Board of Trustees of the Mississippi Department  
43 of Archives and History is authorized to establish the Mississippi  
44 Landmark Grant Program within the Historic Properties Trust Fund  
45 to help ensure the preservation of Mississippi Landmark  
46 properties.

47 (b) The Board of Trustees of the Mississippi Department  
48 of Archives and History may deposit funds appropriated by the  
49 Legislature, or funds transferred from the Historic Properties  
50 Financing Fund as specified in Section 89-12-37(2), into the  
51 account established for the Mississippi Landmark Grant Program  
52 within the Historic Properties Trust Fund. All funds deposited in  
53 the account for the Mississippi Landmark Grant Program shall be  
54 used exclusively for the purpose of acquiring, preserving,  
55 restoring, supporting, operating and administering Mississippi  
56 Landmark properties or those properties to be designated as  
57 Mississippi Landmarks.

58 (c) The board of supervisors of every county and the  
59 governing authorities of every municipality in the state may make  
60 contributions to the Mississippi Department of Archives and  
61 History, to be deposited into the account for the Mississippi  
62 Landmark Grant Program. Such contributions may be undesignated or  
63 earmarked for use on specific Mississippi Landmark properties.

64 (d) The Board of Trustees of the Mississippi Department  
65 of Archives and History shall have all powers necessary to  
66 implement and administer the Mississippi Landmark Grant Program,  
67 and the board of trustees shall promulgate all rules and  
68 regulations necessary for the implementation and administration of  
69 the program.

70 SECTION 2. Section 89-12-37, Mississippi Code of 1972, is

71 amended as follows:

72 89-12-37. (1) All funds received under the provisions of  
73 this chapter shall forthwith be deposited by the Treasurer in a  
74 special fund hereby established in the State Treasury to be  
75 designated the "Abandoned Property Fund," except that the  
76 Treasurer shall deposit in a separate special fund hereby  
77 established in the State Treasury to be designated the "Abandoned  
78 Property Claims Payment Fund" an amount not exceeding One Hundred  
79 Fifty Thousand Dollars (\$150,000.00) from which he shall make  
80 prompt payment of claims duly allowed by him as hereinafter  
81 provided. Before making the deposits in either special fund, he  
82 shall record the name and last known address of each person  
83 appearing from the holders' reports to be entitled to the  
84 abandoned property and the name and last known address of each  
85 insured person or annuitant and, with respect to each policy or  
86 contract listed in the report of a life insurance corporation, its  
87 number, the name of the corporation and the amount due. The  
88 record shall be available for public inspection at all reasonable  
89 business hours.

90 (2) There is created within the Abandoned Property Fund in  
91 the State Treasury a trust to be known as the Historic Properties  
92 Financing Fund, which shall be used as provided in this section.  
93 On July 1, 1999, Ten Million Dollars (\$10,000,000.00) in the  
94 Abandoned Property Fund shall be set aside and placed in the  
95 Historic Properties Financing Fund created herein. The principal  
96 of the Historic Property Financing Fund shall remain inviolate  
97 within the Abandoned Property Fund, and shall be invested in the  
98 same manner as the remainder of the Abandoned Property Fund. The  
99 interest and income earned from the investment of the principal of  
100 the Historic Properties Financing Fund shall be transferred  
101 quarterly to the Mississippi Landmark Grant Program account within  
102 the Historic Properties Trust Fund created under Section 39-5-23.  
103 The transferred money shall be utilized by the Department of

104 Archives and History for the purposes as specified in Section  
105 39-5-23(3).

106 SECTION 3. This act shall take effect and be in force from  
107 and after July 1, 1999.