

By: Senator(s) Hamilton

To: Agriculture

## SENATE BILL NO. 2388

1 AN ACT TO AMEND SECTION 79-17-13, MISSISSIPPI CODE OF 1972,  
2 TO REDUCE THE MINIMUM NUMBER OF MEMBERS REQUIRED TO FORM  
3 AGRICULTURAL ASSOCIATIONS; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 79-17-13, Mississippi Code of 1972, is  
6 amended as follows:

7 79-17-13. Three (3) or more producers of agricultural  
8 products in the State of Mississippi who may desire that they,  
9 their associates and successors shall come under this chapter and  
10 enjoy its benefits may enter into articles of association and  
11 incorporation, which shall set forth the name of the organization,  
12 the period of its existence (which shall be for not more than  
13 ninety-nine (99) years), its domicile, and that it is to be  
14 organized and operated under this chapter. Such articles shall be  
15 in duplicate and signed and acknowledged by all those named  
16 therein and filed with the Secretary of State of Mississippi.  
17 Upon the receipt of Twenty-five Dollars (\$25.00) as a recording  
18 fee, the Secretary of State shall file both of said copies,  
19 endorsing thereon over his official signature the filing and the  
20 date thereof. Thereupon and by such filing and endorsement, said  
21 association described in the said articles shall be and become a  
22 complete and valid corporation without capital stock and without  
23 individual liability on the part of the organizers, their  
24 associates and successors, who may become members of such  
25 incorporated association, or on the part of the directors and  
26 officers of such organization, notwithstanding indebtedness be

27 incurred by said corporation and it be without capital stock.  
28 Such articles when so filed shall be the charter of such  
29 corporation. Upon the filing and endorsement of the articles as  
30 aforesaid, the Secretary of State shall return one (1) of said  
31 copies of said articles to said corporation, which shall have the  
32 same recorded in the record of charters in the office of the clerk  
33 of the chancery court of the county in which the principal office  
34 or place of business of such corporation is located, and the  
35 Secretary of State shall retain the other copy of said articles  
36 for his files and record it and said endorsements thereon in the  
37 records of charters in his office. Such articles may be amended  
38 by the same procedure except that the proposed amendment shall be  
39 signed by two (2) executive officers, only after authority given  
40 by the vote of a majority of the members present at any membership  
41 meeting duly called and held; provided, however, that notice of  
42 such meeting and a statement of the substance of the proposed  
43 amendment to the articles of association and incorporation shall  
44 be mailed or delivered by hand to all members of the incorporated  
45 association at least fifteen (15) days prior to the date of such  
46 meeting. The recording fee for an amendment to such articles  
47 shall be Twenty Dollars (\$20.00).

48 SECTION 2. This act shall take effect and be in force from  
49 and after July 1, 1999.