

By: Representatives Whittington, Huddleston,
Perkins

To: Local and Private
Legislation; Ways and Means

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1665

1 AN ACT TO AUTHORIZE THE CITY OF GREENWOOD, MISSISSIPPI, TO
2 ACQUIRE AND DEVELOP REAL ESTATE WITHIN THE CORPORATE LIMITS OF
3 SUCH CITY OR WITHIN FIVE MILES OF THE CORPORATE LIMITS OF SUCH
4 CITY FOR THE DEVELOPMENT, USE AND OPERATION OF INDUSTRIAL PARKS OR
5 FOR OTHER INDUSTRIAL DEVELOPMENT PURPOSES AND TO CONSTRUCT THEREON
6 BUILDINGS OR WAREHOUSES AND ANY NECESSARY INFRASTRUCTURE; TO
7 AUTHORIZE THE CITY OF GREENWOOD TO ISSUE GENERAL OBLIGATION BONDS
8 OF THE CITY IN AN AMOUNT NOT TO EXCEED \$5,000,000.00; AND FOR
9 RELATED PURPOSES.

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

11 SECTION 1. (1) The governing authorities of the City of
12 Greenwood, Mississippi ("governing authorities"), may acquire and
13 develop real estate within the corporate limits of the City of
14 Greenwood ("city") or within five (5) miles of the corporate
15 limits of the city for the development, use and operation of
16 industrial parks or for other industrial development purposes, and
17 construct thereon buildings or warehouses and any necessary
18 infrastructure.

19 (2) The governing authorities may issue general obligation
20 bonds of the city for the purposes described in subsection (1) of
21 this section.

22 (3) The general obligation bonds of the city issued for the
23 purposes of this act shall not exceed Five Million Dollars
24 (\$5,000,000.00).

25 SECTION 2. The governing authorities may lease, sell or
26 otherwise dispose of the property acquired and buildings
27 constructed pursuant to this act on terms and conditions and with
28 safeguards as will best promote and protect the public interest.
29 The governing authorities may transfer title or possession to such

30 property and buildings by warranty deed, lease, lease-purchase,
31 bill of sale, contract or other customary business instrument in
32 the same manner and to the same extent that any private
33 corporation, association or person may now contract with reference
34 to property of a similar nature. Any sale of real estate
35 authorized under this act may be made at public or private sale.
36 All income derived from the sale or lease of such property and
37 buildings may be applied to the retirement of bonds issued under
38 this act or deposited into the general fund of the city to be used
39 for any lawful purpose.

40 Contracts for the construction, improvement, equipping or
41 furnishing of an industrial site authorized pursuant to this act
42 shall be entered into upon the basis of public bidding pursuant to
43 Section 31-7-1 et. seq., Mississippi Code of 1972.

44 SECTION 3. Before the issuance of any bonds under the
45 provisions of this act, the governing authorities shall adopt a
46 resolution declaring its intention so to do, stating the maximum
47 amount of the bonds proposed to be issued, the purpose for which
48 the bonds are to be issued, and the date upon which the governing
49 authorities propose to authorize the issuance of such bonds. Such
50 resolution shall be published once a week for at least three (3)
51 consecutive weeks in at least one (1) newspaper published in the
52 city. The first publication of such resolution shall be made not
53 less than twenty-one (21) days before the date fixed in such
54 resolution to authorize the issuance of the bonds, and the last
55 publication shall be made not more than seven (7) days before such
56 date. If twenty percent (20%) or one thousand five hundred
57 (1,500) of the qualified electors of the city, whichever is the
58 lesser, shall file a written protest against the issuance of such
59 bonds on or before the date specified in such resolution, then an
60 election on the question of the issuance of such bonds shall be
61 called and held as herein provided. If no such protest be filed,
62 then such bonds may be issued without an election on the question

63 of the issuance thereof at any time within a period of two (2)
64 years after the date specified in the above-mentioned resolution;
65 provided, however, that the governing authorities, in their
66 discretion, may nevertheless call an election on such question, in
67 which event it shall not be necessary to publish the resolution
68 declaring their intention to issue the bonds as herein provided.

69 SECTION 4. Whenever an election is to be called as provided
70 in Section 3 of this act, notice of such election shall be signed
71 by the city clerk and shall be published once a week for at least
72 three (3) consecutive weeks in at least one (1) newspaper
73 published in the city. The first publication of such notice shall
74 be made not less than twenty-one (21) days before the date fixed
75 for such election, and the last publication shall be made not more
76 than seven (7) days before such date.

77 SECTION 5. Such election shall be held, as far as is
78 practicable, in the same manner as other elections are held in
79 municipalities. At such election, all qualified electors of the
80 city may vote, and the ballots used at such election shall have
81 printed thereon a brief statement of the amount and purpose of the
82 proposed bond issue and the words "FOR THE BOND ISSUE" and
83 "AGAINST THE BOND ISSUE," and the voter shall vote by placing a
84 cross (x) or check mark (✓) opposite his choice on the
85 proposition.

86 SECTION 6. When the results of the election on the question
87 of the issuance of such bonds shall have been canvassed by the
88 election commissioners of the city and certified by them to the
89 governing authorities, it shall be the duty of such governing
90 authorities to determine and adjudicate whether or not a majority
91 of the qualified electors who voted thereon in such election voted
92 in favor of the issuance of such bonds, and unless a majority of
93 the qualified electors who voted thereon in such election shall
94 have voted in favor of the issuance of such bonds, then such bonds
95 shall not be issued. If a majority of the qualified electors who

96 vote thereon in such election vote in favor of the issuance of
97 such bonds, then the governing authorities may issue such bonds,
98 whether in whole or in part, within two (2) years after the date
99 of the election or the date of the final favorable termination of
100 any litigation affecting the issuance of such bonds.

101 SECTION 7. All general obligation bonds issued under the
102 provisions of this act shall be subject to the twenty percent
103 (20%) debt limitation set forth in Section 21-33-303, Mississippi
104 Code of 1972. Except as otherwise provided in this act, all bonds
105 issued under the provisions of this act shall be issued and the
106 proceeds managed in accordance with the provisions of Sections
107 21-33-301 et seq., Mississippi Code of 1972.

108 SECTION 8. This act, without reference to any other statute
109 not referred to herein, shall be deemed to be full and complete
110 authority for the borrowing of money and the issuing of bonds as
111 authorized by the governing authorities and shall be construed as
112 an additional and alternate method therefor.

113 SECTION 9. Any bonds issued under the provisions of this act
114 shall be validated in the manner provided by law.

115 SECTION 10. No member of the Legislature, elected official
116 or appointed official, or any partner or associate of any member
117 of the Legislature, elected official or appointed official, shall
118 derive any income from the issuance of any bonds under this act.

119 SECTION 11. The governing authorities are further authorized
120 to adopt any and all lawful resolutions, orders or ordinances and
121 do and perform any and all acts and things necessary and requisite
122 to carry out the purposes of this act.

123 SECTION 12. The governing authorities of the City of
124 Greenwood shall submit this act, immediately upon approval by the
125 Governor, or upon approval by the Legislature subsequent to a
126 veto, to the Attorney General of the United States or to the
127 United States District Court for the District of Columbia in

128 accordance with the provisions of the Voting Rights Act of 1965,
129 as amended and extended.

130 SECTION 13. If this act is effectuated under Section 5 of
131 the Voting Rights Act of 1965, as amended and extended, then this
132 act shall take effect and be in force from and after the date it
133 is effectuated under Section 5 of the Voting Rights Act of 1965,
134 as amended and extended.