

By: Representative Reynolds

To: Local and Private
Legislation; Ways and Means

HOUSE BILL NO. 1689

1 AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF YALOBUSHA
2 COUNTY, MISSISSIPPI, TO ISSUE GENERAL OBLIGATION BONDS OF THE
3 JUDICIAL DISTRICTS OF THE COUNTY FOR THE PURPOSE OF PURCHASING OR
4 ERECTING, EQUIPPING, REPAIRING, RECONSTRUCTING, REMODELING AND
5 ENLARGING COUNTY BUILDINGS, COURTHOUSES, OFFICE BUILDINGS AND
6 RELATED FACILITIES, AND THE PURCHASE OF LAND THEREFOR; AND FOR
7 RELATED PURPOSES.

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

9 SECTION 1. The Board of Supervisors of Yalobusha County,
10 Mississippi, hereinafter referred to as the board of supervisors,
11 is authorized to issue negotiable general obligation bonds,
12 including the issuance of refunding bonds if deemed necessary, of
13 any judicial district of the county for the purposes of purchasing
14 lease-purchasing, leasing and/or erecting, equipping, repairing,
15 reconstructing, remodeling and enlarging county buildings,
16 courthouses, office buildings, and related facilities, and the
17 purchase, lease-purchase and/or lease of land therefor to be
18 located within such judicial district of the county. The total
19 amount of bonds issued under this act may not exceed Five Million
20 Dollars (\$5,000,000.00).

21 SECTION 2. Before issuing any bonds under this act, the
22 board of supervisors shall adopt a resolution declaring its
23 intention so to do, stating the amount of bonds proposed to be
24 issued and the purpose for which the bonds are to be issued, and
25 the date upon which the board of supervisors proposes to direct
26 the issuance of such bonds. Such resolution shall be published
27 once a week for at least three (3) consecutive weeks in at least
28 one (1) newspaper published in the county. The first publication

29 of such resolution shall be made not less than twenty-one (21)
30 days before the date fixed in the resolution for the issuance of
31 the bonds, and the last publication shall be made not more than
32 seven (7) days before such date. If no newspaper be published in
33 the county, then such notice shall be given by publishing the
34 resolution for the required time in some newspaper having a
35 general circulation in the county and, in addition, by posting a
36 copy of such resolution for at least twenty-one (21) days next
37 preceding the date fixed therein at three (3) public places in the
38 county. If twenty percent (20%), or fifteen hundred (1500),
39 whichever is less, of the qualified electors of the judicial
40 district for which bonds are proposed to be issued shall file a
41 written protest against the issuance of such bonds on or before
42 the date specified in such resolution, then an election on the
43 question of the issuance of such bonds shall be called and held as
44 is provided in this act and in Section 19-9-13, Mississippi Code
45 of 1972. If no such protest be filed, then such bonds may be
46 issued without an election on the question of the issuance
47 thereof, at any time within a period of two (2) years after the
48 date specified in the resolution. However, the board of
49 supervisors, in its discretion, may nevertheless call an election
50 on such question, in which event it shall not be necessary to
51 publish the resolution declaring its intention to issue such bonds
52 as herein provided.

53 SECTION 3. Such election shall be held, as far as is
54 practicable, in the same manner as other elections are held in
55 counties. At such election, all qualified electors of the
56 judicial district for which bonds are proposed to be issued may
57 vote, and the ballots used at the election shall have printed
58 thereon a brief statement of the amount and purpose of the
59 proposed bond issue and the words "FOR THE BOND ISSUE" and
60 "AGAINST THE BOND ISSUE," and the voter shall vote by placing a

61 cross (X) or checkmark (✓) opposite his choice on the
62 proposition. When the results of such election have been
63 canvassed by the election commissioners of the county and
64 certified by them to the board of supervisors, it shall be the
65 duty of the board of supervisors to determine and adjudicate
66 whether or not at least three-fifths (3/5) of the qualified
67 electors of the judicial district for which the bonds are proposed
68 to be issued who voted in the election voted in favor of the
69 issuance of such bonds. Unless at least three-fifths (3/5) of
70 such qualified electors who voted in the election voted in favor
71 of the issuance of the bonds, then the bonds shall not be issued.
72 Should at least three-fifths (3/5) of such qualified electors who
73 vote in the election vote in favor of the issuance of the bonds,
74 then the board of supervisors may issue the bonds, either in whole
75 or in part, within two (2) years from the date of such election or
76 within two (2) years after the final favorable termination of any
77 litigation affecting the issuance of such bonds, as the board of
78 supervisors shall deem best.

79 SECTION 4. Any bonds issued under this act shall be general
80 obligations of the judicial district of Yalobusha County for which
81 issued. The board of supervisors of the county shall annually
82 levy a special tax upon all the taxable property within the
83 judicial district or districts for which the bonds were issued,
84 which tax shall be sufficient to provide for the payment of
85 principal and interest on such bonds according to the terms
86 thereof.

87 SECTION 5. Except as otherwise provided in this act, all
88 bonds issued under this act shall be issued and the proceeds
89 managed in accordance with the terms and provisions of Sections
90 19-9-5, 19-9-7 and 19-9-11 through 19-9-25, Mississippi Code of
91 1972, and sold in accordance with the provisions of Section
92 31-19-25, Mississippi Code of 1972.

93 SECTION 6. This act, without reference to any other statute
94 not referred to herein, shall be deemed to be full and complete
95 authority for the borrowing of money and the issuing of bonds as
96 hereby authorized by the board of supervisors and shall be
97 construed as an additional and alternate method therefor.

98 SECTION 7. Any bonds issued under this act shall be
99 validated in the manner provided in Chapter 13, Title 31,
100 Mississippi Code of 1972.

101 SECTION 8. The Board of Supervisors of Yalobusha County,
102 Mississippi, shall submit this act, immediately upon approval by
103 the Governor, or upon approval by the Legislature subsequent to a
104 veto, to the Attorney General of the United States or to the
105 United States District Court for the District of Columbia in
106 accordance with the provisions of the Voting Rights Act of 1965,
107 as amended and extended.

108 SECTION 9. This act shall take effect and be in force from
109 and after the date it is effectuated under Section 5 of the Voting
110 Rights Act of 1965, as amended and extended.