

By: Senator(s) Jordan

To: Local and Private

SENATE BILL NO. 3171

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 TO ISSUE GENERAL OBLIGATION BONDS OF THE CITY  
 8 IN AN AMOUNT NOT TO EXCEED \$5,000,000.00; AND FOR RELATED  
 9 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 or within five (5) miles of the corporate limits of the  
 15 City of Greenwood 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 pursuant to this act may be made at public or private  
36 sale. All income derived from the sale or lease of such property  
37 and buildings may be applied to the retirement of bonds issued  
38 pursuant to this act or deposited into the general fund of the  
39 city to be used 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.

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 board of  
49 supervisors proposes to authorize the issuance of such bonds.  
50 Such resolution shall be published once a week for at least three  
51 (3) consecutive weeks in at least one (1) newspaper published in  
52 the city. The first publication of such resolution shall be made  
53 not less than twenty-one (21) days prior to 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 prior to  
56 such 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 its 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 county. The first publication of such notice  
74 shall be made not less than twenty-one (21) days prior to the date  
75 fixed for such election, and the last publication shall be made  
76 not more than seven (7) days prior to 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 of Greenwood may vote, and the ballots used at such election  
81 shall have printed thereon a brief statement of the amount and  
82 purpose of the proposed bond issue and the words "FOR THE BOND  
83 ISSUE" and "AGAINST THE BOND ISSUE," and the voter shall vote by  
84 placing a 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 board of  
90 supervisors 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. Except as  
104 otherwise provided in this act, all bonds issued under the  
105 provisions of this act shall be issued and the proceeds managed in  
106 accordance with the provisions of Sections 21-33-301 et. seq.

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

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

114 SECTION 10. The governing authorities are further authorized  
115 and empowered to adopt any and all lawful resolutions, orders or  
116 ordinances and do and perform any and all acts and things  
117 necessary and requisite to carry out the purposes of this act.

118 SECTION 11. The governing authorities of the City of  
119 Greenwood shall submit this act, immediately upon approval by the  
120 Governor, or upon approval by the Legislature subsequent to a  
121 veto, to the Attorney General of the United States or to the  
122 United States District Court for the District of Columbia in  
123 accordance with the provisions of the Voting Rights Act of 1965,  
124 as amended and extended.

125 SECTION 12. If this act is effectuated under Section 5 of  
126 the Voting Rights Act of 1965, as amended and extended, then this  
127 act shall take effect and be in force from and after the date it

128 is effectuated under Section 5 of the Voting Rights Act of 1965,  
129 as amended and extended.