

By: Representative Ishee

To: Ways and Means

HOUSE BILL NO. 107

1 AN ACT TO AMEND SECTION 37-29-437, MISSISSIPPI CODE OF 1972,
2 TO REDUCE THE MAXIMUM AD VALOREM TAX MILLAGE RATE THAT COUNTIES IN
3 THE MISSISSIPPI GULF COAST COMMUNITY COLLEGE DISTRICT MAY LEVY FOR
4 MAINTENANCE AND OPERATION OF THE DISTRICT; AND FOR RELATED
5 PURPOSES.

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

7 **SECTION 1.** Section 37-29-437, Mississippi Code of 1972, is
8 amended as follows:

9 37-29-437. After the budget shall have been prepared as is
10 provided for in Section 37-29-415, the Board of Trustees of the
11 Mississippi Gulf Coast Community College District shall certify
12 the same in writing to the boards of supervisors of the several
13 counties and shall certify to the said boards of supervisors the
14 number of mills of ad valorem taxation required to make provisions
15 for the revenue required in said budget. It shall thereupon
16 become the duty of the board of supervisors of each of the four
17 (4) counties to levy the taxes in the number of mills specified by
18 the board of trustees. The tax levy for maintenance and operation
19 of the district shall not exceed three (3) mills nor shall the
20 levy for capital outlay, including purchase of lands, construction
21 and equipment of buildings and structures, making of major
22 repairs, and for the retirement of bonds, exceed three (3) mills.

23 Promptly upon having certified the requirements of the
24 district to the several boards of supervisors the board of
25 trustees of the district shall cause publication of notice to be
26 made in each county in a newspaper published or having general
27 circulation therein giving notice of the filing of the request for
28 the levy aforesaid. Said notice shall be published at least one



29 (1) time and within ten (10) days after the certification of the
30 request for such levy to the boards of supervisors. The said
31 notice shall provide that the said levy requested will be made in
32 each county unless a petition signed by twenty percent (20%) of
33 the qualified electors of the district shall be filed with the
34 secretary of the board of trustees of the said district within
35 thirty (30) days from the date of the first publication protesting
36 against the said levy and demanding an election thereon. In the
37 event of the filing of such a petition, it shall be the duty of
38 the secretary forthwith to call a special meeting of the board of
39 trustees of the district setting forth the fact of the filing of
40 such petition in the notice of the call and the said board shall
41 promptly meet and consider the said petition. If it shall find
42 that the same does in fact protest against the said levies and is
43 in fact signed by at least twenty percent (20%) of the qualified
44 electors of the said district, it shall then so certify to the
45 boards of supervisors of the several counties. As early as
46 possible but not later than fifteen (15) days after the receipt of
47 such notice, it shall be the duty of the board of supervisors of
48 each county to enter an order directing the election commissioners
49 of the county to proceed to hold an election in all of the voting
50 precincts of said county to determine whether or not the levy
51 shall be made as requested by the board of trustees of the
52 district.

53 The said election shall be held within thirty (30) days from
54 the date of the said order of the board of supervisors requesting
55 that the same be called and notice thereof shall be published once
56 a week for three (3) weeks during the period between the order
57 directing the election commissioners to hold the same and the
58 actual date thereof.

59 The election shall be held in accordance with the laws
60 governing general elections as nearly as is practicable and the
61 election commissioners of each county shall, promptly after the



62 holding of said election, certify to the secretary of the board of
63 trustees of the district the result thereof in each county,
64 certifying also the number of qualified electors in each county on
65 the date of the holding of said election. The board of trustees
66 of the district shall promptly meet and consider the several
67 certificates of the election commissioners and shall determine the
68 result of said election in the district. If it shall be
69 determined that a majority of the qualified electors of the
70 district have voted against the levy requested, the same shall not
71 be made but the board of supervisors in each county shall continue
72 in effect the levy made for the preceding fiscal year. If it be
73 determined that a majority of the qualified electors has not voted
74 against said levy, it shall be the duty of the board of
75 supervisors of each county to make the levy as requested. In any
76 event, the levy for full faith and credit bonds outstanding as
77 obligations of the county before May 10, 1962, for capital outlays
78 and improvements for Perkinston Junior College and/or bonds
79 subsequently issued shall be continued in effect in accordance
80 with the obligations undertaken in the issuance of said bonds.
81 All of such bond levies, however, as are reasonably required to
82 meet the annual maturities and interest on outstanding bonds shall
83 be considered a part of the three (3) mill maximum above provided
84 for capital outlays, buildings, purchase of land and other similar
85 items hereinbefore mentioned.

86 **SECTION 2.** This act shall take effect and be in force from
87 and after July 1, 2002.

