

By: Representatives Simpson, Mitchell

To: Municipalities; County Affairs

HOUSE BILL NO. 343

1 AN ACT TO CREATE A NEW CODE SECTION TO PROVIDE THAT THE  
 2 GOVERNING AUTHORITIES OF A MUNICIPALITY ARE AUTHORIZED TO DONATE  
 3 ANNUALLY SUCH SUMS AS THEY DEEM ADVISABLE TO SUPPORT ORGANIZATIONS  
 4 TO FIGHT CRIME OR DRUG ABUSE; TO SET FORTH A DEFINITION OF AN  
 5 ORGANIZATION TO FIGHT CRIME OR DRUG ABUSE; TO CLARIFY THAT THE  
 6 PROVISIONS OF THE SECTION DO NOT AUTHORIZE THE LEVY OF AN  
 7 ASSESSMENT OR COURT COST ON ANY TRAFFIC OR CRIMINAL CASE PROCESSED  
 8 THROUGH THE MUNICIPAL COURTS, IN ORDER TO FUND SUCH AN  
 9 ORGANIZATION; TO AMEND SECTION 19-5-93, MISSISSIPPI CODE OF 1972,  
 10 TO PROVIDE THAT THE BOARD OF SUPERVISORS OF A COUNTY IS AUTHORIZED  
 11 TO DONATE ANNUALLY SUCH SUMS AS IT DEEMS ADVISABLE TO SUPPORT  
 12 ORGANIZATIONS TO FIGHT CRIME OR DRUG ABUSE; TO SET FORTH A  
 13 DEFINITION OF AN ORGANIZATION TO FIGHT CRIME OR DRUG ABUSE; TO  
 14 CLARIFY THAT THE AMENDMENT TO THE SECTION DOES NOT AUTHORIZE THE  
 15 LEVY OF AN ASSESSMENT OR COURT COST ON ANY TRAFFIC OR CRIMINAL  
 16 CASE PROCESSED THROUGH THE JUSTICE AND CIRCUIT COURTS OF THE  
 17 COUNTY, IN ORDER TO FUND SUCH AN ORGANIZATION; AND FOR RELATED  
 18 PURPOSES.

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

20 **SECTION 1.** The governing authorities of any municipality in  
 21 the state are hereby authorized, in their discretion, by  
 22 resolution duly adopted and entered on its minutes, to donate  
 23 annually out of any money in the municipal treasury such sums as  
 24 the governing authorities deem advisable to support any  
 25 organization formed to fight crime or drug abuse, which is  
 26 operating within or serving the municipality. For purposes of  
 27 this section, an organization formed to fight crime or drug abuse  
 28 means any organization having as its primary goals the prevention  
 29 of crime and drug abuse, drug education and/or procuring  
 30 information to aid authorities in the capture and conviction of  
 31 persons committing crimes in the municipality, which organization  
 32 may be known as "Crime Stoppers" or as "Anti-Drug Task Force."  
 33 The provisions of this section do not authorize a municipality's  
 34 governing authorities to levy an assessment or court cost on any  
 35 traffic or criminal case processed through the municipal courts of



36 the municipality, in order to fund the activities and operation of  
37 an organization formed to fight crime or drug abuse.

38 **SECTION 2.** Section 19-5-93, Mississippi Code of 1972, is  
39 amended as follows:

40 19-5-93. The board of supervisors of each county is hereby  
41 authorized, in its discretion, to donate money for the objects and  
42 purposes following, to wit:

43 (a) **Confederate graves.** For the location, marking,  
44 care and maintenance of the grave or graves and graveyard of  
45 Confederate soldiers or sailors who died in the Confederate  
46 service, and the purchase, if necessary, of the land on which any  
47 of the said graveyards may be situated, and the erection and  
48 maintenance of appropriate monuments and appropriate inscriptions  
49 thereon. In the exercise of this power the board is fully  
50 authorized to accept donations of land on which any of said  
51 graveyards may be situated and also money or funds to be used for  
52 any of the purposes in this section expressed.

53 Any board of supervisors may, in its discretion, contribute  
54 money to be used for the upkeep of graves of the Confederate dead  
55 in its county.

56 (b) **Care of the aged.** For the support and maintenance  
57 of such residents of the county who are worthy indigent aged  
58 inmates of the Old Ladies' Home of Jackson, Mississippi, or of the  
59 Golden Age Nursing Home and Hospital for North Mississippi of  
60 Greenwood, Mississippi, and not exceeding Five Hundred Dollars  
61 (\$500.00) per annum for the support of the county's inmates of the  
62 Old Men's Home, located near Jackson, Mississippi, and in addition  
63 thereto a sum not exceeding Two Hundred Dollars (\$200.00) per  
64 annum to each of said institutions for their support and  
65 maintenance in the care of the aged.

66 (c) **King's Daughters.** To the King's Daughters in their  
67 respective counties for charities under their supervision.



68           (d) **Travelers Aid Society.** A sum of money not  
69 exceeding Fifteen Dollars (\$15.00) per month for the support of  
70 the organization known as the Travelers Aid Society, provided the  
71 same is nonsectarian.

72           (e) **Hospitals for pellagra sufferers.** For the  
73 establishment and maintenance of a hospital for the treatment of  
74 persons afflicted with pellagra. For this purpose the board may  
75 issue bonds and incur such indebtedness within the limits now  
76 authorized by law.

77           (f) **Tubercular hospitals.** For the establishment and  
78 maintenance of a hospital for the care and treatment of persons  
79 suffering from tuberculosis. In the execution of this power the  
80 board may select trustees to establish and operate said hospital.  
81 In counties having a population of more than forty thousand  
82 (40,000) people, as shown by the latest United States census, the  
83 board may set aside, appropriate and expend monies from the  
84 general fund for the purpose of aiding in the maintenance and  
85 support of hospitals maintained and operated in such county for  
86 the care and treatment of persons suffering from tuberculosis.  
87 The monies shall be expended by the board through such trustees,  
88 not less than three (3) and not more than five (5), to be elected  
89 by the board of supervisors annually. The trustees shall file  
90 reports with the board at least once every six (6) months showing  
91 in detail all expenditures made by them and the number of patients  
92 which have been for the preceding period aided or cared for by the  
93 institution, and the board may otherwise require a strict  
94 accounting of the administration of said funds.

95           (g) **Same -- additional provisions.** The boards of  
96 supervisors of one or more counties are hereby authorized and  
97 empowered, in their discretion, separately or jointly, to acquire  
98 by gift, purchase or lease, real estate, for tubercular hospital  
99 purposes, and to own, erect, build, establish, maintain, regulate



100 and support a tubercular hospital and to remodel buildings on such  
101 property to be used for such hospital purposes.

102 In the event the boards of supervisors of two (2) or more  
103 counties agree to cooperate in establishing and maintaining such  
104 hospital, the board of supervisors of each of said counties shall  
105 adopt a resolution agreeing to the proportionate part each county  
106 will contribute to the establishment and maintaining of such  
107 hospital.

108 Each county operating under the provisions of this subsection  
109 is hereby authorized and empowered to set aside, appropriate and  
110 expend monies from the general fund for the purpose of erecting,  
111 maintaining and operating such hospital.

112 (h) **Charity wards in hospitals.** A sum of money not  
113 exceeding One Hundred Dollars (\$100.00) per month to maintain a  
114 charity ward or wards in any hospital in their respective  
115 counties, or in the event there shall be no hospital in such  
116 county, then a like sum, in their discretion, to maintain a  
117 charity ward or wards in any hospital in any adjoining county  
118 receiving and treating patients from such county having no  
119 hospital.

120 (i) **Same -- coast counties.** The several counties of  
121 this state bordering on the tidewater of the Gulf of Mexico are  
122 hereby authorized and empowered, in the discretion of the proper  
123 authorities thereof, to appropriate such a sum of money as said  
124 authorities shall deem reasonable, to provide and maintain a  
125 charity ward or wards, in any of the hospitals in said counties,  
126 or, in the discretion of said authorities, to make and enter into  
127 contracts with any such hospitals for the treatment and care in  
128 such hospitals of the indigent sick of said counties, and to pay  
129 therefor out of the general fund of such counties such sum or sums  
130 as shall be a reasonable and just compensation to said hospital.  
131 However, the board of supervisors of any county mentioned herein  
132 may, in its discretion, make and enter into contracts with any



133 hospital in any adjoining county receiving and treating patients  
134 from the respective counties mentioned herein in such hospitals of  
135 the indigent sick of said counties, mentioned herein, and to pay  
136 therefor out of the general fund of such county, such sum or sums  
137 that shall be reasonable and just to said hospitals.

138           (j) **Public libraries.** A sum not to exceed One Thousand  
139 Dollars (\$1,000.00) per annum toward the support and maintenance  
140 of one or more public libraries situated in the county. In any  
141 county whose total assessed valuation, including railroads and all  
142 public utilities, is more than Eighteen Million Dollars  
143 (\$18,000,000.00) the board, in its discretion, may appropriate a  
144 sum not to exceed Three Thousand Dollars (\$3,000.00) per annum for  
145 public libraries.

146           The board may also give or donate any legislative journals,  
147 constitutional convention journals, printed official reports of  
148 any state or county officers, official reports of departments,  
149 bureaus or officers of the United States, and copies of the acts  
150 of the Legislature or laws of Mississippi now or hereafter in the  
151 county library of such county and not needed, in the opinion of  
152 the board in the county library (but not including any Mississippi  
153 reports and not including any acts of the Legislature or laws of  
154 the state, unless such acts or laws be more than twenty (20) years  
155 old) to any library or library association or foundation or  
156 organization maintaining a free public library for reference or  
157 otherwise, provided such library, association, foundation or  
158 organization owns free from encumbrance a fireproof library  
159 building located in this state, in which building said journals,  
160 reports, acts and laws may be and shall be deposited where  
161 received under this subsection and made accessible under  
162 reasonable regulations to the general public. Such library,  
163 association, foundation or organization shall not have the right  
164 to sell or otherwise dispose of said journals, reports, acts and  
165 laws. Said journals, reports, acts and laws may be returned to



166 the county library from which received without expense to the  
167 county, or to the state library, without expense to the state, at  
168 any time by the library, association, foundation or organization  
169 receiving the same.

170 Any gift or donation made by the board of supervisors of any  
171 county under the authority of this subsection shall be evidenced  
172 by an order spread upon the minutes of said board. The county  
173 shall bear no expense in connection with any donation. The  
174 sheriff of the county, or the custodian of the county library,  
175 shall deliver to the representative of the library, association,  
176 foundation or organization entitled to receive the same any of  
177 said journals, reports, acts, laws and official publications in  
178 accordance with the directions contained in any order of the board  
179 of supervisors for the delivery of the same, and shall take proper  
180 receipt from the party receiving the same, and shall deliver such  
181 receipt to the clerk of the board of supervisors of the county,  
182 and the board of supervisors shall have the said receipt entered  
183 in full on the minutes of the board.

184 Any library, association, foundation or organization  
185 receiving any gift or donation from any county under this  
186 subsection shall report in writing to the board of supervisors,  
187 from which such gifts or donations have been received every two  
188 (2) years, that the gifts and donations so received are still in  
189 the possession of the donee and are accessible to the general  
190 public. If any of the gifts or donations so received have been  
191 lost, destroyed or have otherwise disappeared, report thereof  
192 shall be made.

193 If any library, association, foundation or organization  
194 receiving gifts or donations under this subsection shall cease  
195 operating as a free public library or shall cease to be the owner  
196 of a fireproof building in which it keeps and maintains a free  
197 public library, for reference or otherwise, the said library,  
198 association, foundation or organization shall thereupon



199 immediately return to the county library, without expense to the  
200 county, or to the state library, without expense to the state, any  
201 gifts or donations it may have received under this subsection.

202           (k) **Patriotic organizations and memorials.** A sum not  
203 to exceed Five Thousand Dollars (\$5,000.00) to build or aid any  
204 post of the American Legion, any chapter of the Daughters of the  
205 American Revolution, any chapter of the United Daughters of the  
206 Confederacy, or any post, unit or chapter of any patriotic  
207 organization within the county in building a memorial to the  
208 veterans of World War I and World War II; and a sum not to exceed  
209 One Thousand Dollars (\$1,000.00) to aid in defraying the cost of  
210 the erection of suitable memorials to deceased soldiers, sailors  
211 and marines of the late world wars. Such appropriation may be  
212 made, even though no provision has been made therefor in the  
213 county budget.

214           (l) **American Red Cross.** Any board of supervisors of  
215 any county in this state is hereby authorized and empowered, in  
216 its discretion, to donate annually, out of any monies in its  
217 respective treasury, to be drawn by warrant thereon, a sum not  
218 exceeding One Hundred Dollars (\$100.00) per million of assessed  
219 valuation to the support of a local chapter of the American Red  
220 Cross.

221           (m) **St. Jude Hospital.** For the payment of mileage  
222 expense for transporting persons to St. Jude Hospital in Memphis,  
223 Tennessee, for treatment. The mileage shall be based on a  
224 round-trip basis from the patient's place of residence to St. Jude  
225 Hospital at the mileage rate set forth in Section 25-3-41.

226           (n) **Public museums.** For the support and maintenance of  
227 such public museums located in the county constituted under the  
228 provisions of Chapter 9, Title 39, Mississippi Code of 1972.

229           (o) **Domestic violence shelters.** The board of  
230 supervisors of any county in this state is hereby authorized and  
231 empowered, in its discretion, to donate annually out of any money



232 in the county treasury, such sums as the board deems advisable to  
233 support any domestic violence shelter or rape crisis center  
234 operating within or serving its area. For the purposes of this  
235 section, "rape crisis center" means a place established to provide  
236 care, counseling and related services to victims of rape,  
237 attempted rape, sexual battery or attempted sexual battery.

238 (p) **Literacy programs.** The board of supervisors of any  
239 county in this state is hereby authorized and empowered, in its  
240 discretion, to donate out of the general fund of the county such  
241 sum of money as the board deems reasonable to any literacy program  
242 being conducted within the county.

243 (q) **Care of neglected children.** The board of  
244 supervisors of any county in this state, in its discretion, may  
245 donate annually out of any money in the county treasury such sums  
246 as the board deems advisable to support any residential group home  
247 for the abused, abandoned or neglected children which operates  
248 within or serves the county. For the purposes of this paragraph  
249 the term "residential group home" means a group residence  
250 established to provide care and counseling, and to serve as a  
251 home, for children who are the victims of abuse, neglect or  
252 abandonment.

253 (r) **Organization to fight crime or drug abuse.** The  
254 board of supervisors of any county in the state is hereby  
255 authorized, in its discretion, by resolution duly adopted and  
256 entered on its minutes, to donate annually out of any money in the  
257 county treasury, such sums as the board deems advisable to support  
258 any organization formed to fight crime or drug abuse, which is  
259 operating within or serving the county. For purposes of this  
260 paragraph, an organization formed to fight crime or drug abuse  
261 means any organization having as its primary goals the prevention  
262 of crime and drug abuse, drug education and/or procuring  
263 information to aid authorities in the capture and conviction of  
264 persons committing crimes in the county, which organization may be





265 known as "Crime Stoppers" or as "Anti-Drug Task Force." The  
266 provisions of this paragraph do not authorize a county board of  
267 supervisors to levy an assessment or court cost on any traffic or  
268 criminal case processed through the justice and circuit courts of  
269 the county, in order to fund the activity and operation of an  
270 organization formed to fight crime or drug abuse.

271       **SECTION 3.** The provisions of Section 1 of this act shall be  
272 codified in Chapter 19, Title 21, Mississippi Code of 1972.

273       **SECTION 4.** This act shall take effect and be in force from  
274 and after its passage.

