

By: Representatives Rotenberry, Hudson,
Moore (60th), Moore (100th), Rushing, Warren,
Weathersby

To: Local and Private
Legislation; Ways and Means

HOUSE BILL NO. 1584

1 AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF SIMPSON
2 COUNTY, MISSISSIPPI, TO PURCHASE AND RENOVATE THE BUILDING AND
3 REAL ESTATE FORMERLY OWNED BY WAL-MART STORES WITHIN THE CORPORATE
4 LIMITS OF THE CITY OF MAGEE, AND TO LEASE SPACE IN THE BUILDING TO
5 COPIAH-LINCOLN COMMUNITY COLLEGE AND FOR THE POSSIBLE LOCATION OF
6 AN INCUBATOR INDUSTRY MULTIPURPOSE AREA AND OTHER USES; TO
7 AUTHORIZE THE BOARD OF SUPERVISORS TO ISSUE GENERAL OBLIGATION
8 BONDS OF THE COUNTY IN AN AMOUNT NOT TO EXCEED \$1,500,000.00 FOR
9 THE PURCHASE AND RENOVATION OF THE BUILDING AND REAL ESTATE; AND
10 FOR RELATED PURPOSES.

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

12 **SECTION 1.** (1) The Board of Supervisors of Simpson County,
13 Mississippi ("board"), may purchase and renovate the building and
14 real estate formerly owned by Wal-Mart Stores in the City of Magee
15 for the purposes of (a) leasing space in the building to
16 Copiah-Lincoln Community College for classrooms and administrative
17 office space to continue to offer its college courses, which lease
18 may be for a nominal amount, and (b) leasing space for the
19 possible location of an incubator industry multipurpose area,
20 warehouse space or other uses, upon such terms and conditions and
21 for such monetary rental or other consideration that the board
22 deems to be in the best interest of the public.

23 (2) The board may issue general obligation bonds of the
24 county, in accordance with the provisions set forth in Sections 3
25 through 11 of this act, for the purposes described in subsection
26 (1) of this section.

27 (3) The general obligation bonds of the county issued for
28 the purposes of this section shall not exceed One Million Five
29 Hundred Thousand Dollars (\$1,500,000.00).

30 **SECTION 2.** If the building and real estate acquired and
31 renovated under Section 1 of this act are no longer needed by the



32 county for county purposes, the board may sell or otherwise
33 dispose of the building and real estate on terms and conditions
34 and with safeguards as will best promote and protect the public
35 interest. The board may transfer title or possession to the
36 building and real estate by warranty deed, bill of sale, contract
37 or other customary business instrument in the same manner and to
38 the same extent that any private corporation, association or
39 person may contract with reference to property of a similar
40 nature. Any sale of the building and real estate authorized under
41 this section may be made at public or private sale. All income
42 derived from the sale of the building and real estate may be
43 applied to the retirement of bonds issued under Sections 3 through
44 11 of this act or deposited into the general fund of the county to
45 be used for any lawful purpose.

46 Contracts for the renovation, improvement, equipping or
47 furnishing of the building authorized to be acquired under Section
48 1 of this act shall be entered into upon the basis of public
49 bidding under Section 31-7-1 et seq., Mississippi Code of 1972.

50 **SECTION 3.** Before the issuance of any bonds under the
51 provisions of this act, the board shall adopt a resolution
52 declaring its intention so to do, stating the maximum amount of
53 the bonds proposed to be issued, the purpose for which the bonds
54 are to be issued, and the date upon which the board proposes to
55 authorize the issuance of the bonds. The resolution shall be
56 published once a week for at least three (3) consecutive weeks in
57 at least one (1) newspaper published in the county. The first
58 publication of the resolution shall be made not less than
59 twenty-one (21) days before the date fixed in the resolution to
60 authorize the issuance of the bonds, and the last publication
61 shall be made not more than seven (7) days before that date. If
62 twenty percent (20%) or one thousand five hundred (1,500) of the
63 qualified electors of the county, whichever is the lesser, file a
64 written protest against the issuance of the bonds on or before the



65 date specified in the resolution, then an election on the question
66 of the issuance of the bonds shall be called and held as provided
67 in this act. If no protest is filed, then the bonds may be issued
68 without an election on the question of the issuance thereof at any
69 time within a period of two (2) years after the date specified in
70 the above-mentioned resolution; however, the board, in its
71 discretion, may nevertheless call an election on that question, in
72 which event it shall not be necessary to publish the resolution
73 declaring its intention to issue the bonds as provided in this
74 act.

75 **SECTION 4.** Whenever an election is to be called as provided
76 in Section 3 of this act, notice of the election shall be signed
77 by the clerk of the board of supervisors and shall be published
78 once a week for at least three (3) consecutive weeks in at least
79 one (1) newspaper published in the county. The first publication
80 of notice shall be made not less than twenty-one (21) days before
81 the date fixed for the election, and the last publication shall be
82 made not more than seven (7) days before that date.

83 **SECTION 5.** The election shall be held, as far as is
84 practicable, in the same manner as other elections are held in
85 counties. At the election, all qualified electors of the county
86 may vote, and the ballots used at the election shall have printed
87 thereon a brief statement of the amount and purpose of the
88 proposed bond issue and the words "FOR THE BOND ISSUE" and
89 "AGAINST THE BOND ISSUE," and the voter shall vote by placing a
90 cross (x) or check mark (✓) opposite his choice on the
91 proposition.

92 **SECTION 6.** When the results of the election on the question
93 of the issuance of the bonds shall have been canvassed by the
94 election commissioners of the county and certified by them to the
95 board, it shall be the duty of the board to determine and
96 adjudicate whether or not a majority of the qualified electors who
97 voted thereon in the election voted in favor of the issuance of



98 the bonds, and unless a majority of the qualified electors who
99 voted thereon in the election have voted in favor of the issuance
100 of the bonds, then the bonds shall not be issued. If a majority
101 of the qualified electors who vote thereon in the election vote in
102 favor of the issuance of the bonds, then the board may issue the
103 bonds, whether in whole or in part, within two (2) years after the
104 date of the election or the date of the final favorable
105 termination of any litigation affecting the issuance of the bonds.

106 **SECTION 7.** The general obligation bonds issued under the
107 provisions of this act shall not be considered when computing any
108 limitation of indebtedness set forth in Section 19-9-5,
109 Mississippi Code of 1972. Except as otherwise provided in this
110 act, all bonds issued under the provisions of this act shall be
111 issued and the proceeds managed in accordance with the provisions
112 of Sections 19-9-1 et seq., Mississippi Code of 1972.

113 **SECTION 8.** This act, without reference to any other statute
114 not referred to herein, shall be deemed to be full and complete
115 authority for the borrowing of money and the issuing of bonds as
116 authorized by the board and shall be construed as an additional
117 and alternate method therefor.

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

120 **SECTION 10.** No member of the Legislature, elected official
121 or appointed official, or any partner or associate of any member
122 of the Legislature, elected official or appointed official, shall
123 derive any income from the issuance of any bonds under this act.

124 **SECTION 11.** The board is further authorized to adopt any and
125 all lawful resolutions, orders or ordinances and do and perform
126 any and all acts and things necessary and requisite to carry out
127 the purposes of this act.

128 **SECTION 12.** The Board of Supervisors of Simpson County,
129 Mississippi, shall submit this act, immediately upon approval by
130 the Governor, or upon approval by the Legislature subsequent to a



131 veto, to the Attorney General of the United States or to the
132 United States District Court for the District of Columbia in
133 accordance with the provisions of the Voting Rights Act of 1965,
134 as amended and extended.

135 **SECTION 13.** If this act is effectuated under Section 5 of
136 the Voting Rights Act of 1965, as amended and extended, then this
137 act shall take effect and be in force from and after the date it
138 is effectuated under Section 5 of the Voting Rights Act of 1965,
139 as amended and extended.

