

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

To: Local and Private  
Legislation; Ways and Means

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1644

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 PURCHASE OTHER REAL ESTATE  
8 AND CONSTRUCT A BUILDING ON THE PROPERTY IF THE WAL-MART PROPERTY  
9 IS NO LONGER AVAILABLE FOR PURCHASE; TO AUTHORIZE THE BOARD OF  
10 SUPERVISORS TO ISSUE GENERAL OBLIGATION BONDS OF THE COUNTY IN AN  
11 AMOUNT NOT TO EXCEED \$2,000,000.00 FOR THE PURCHASE AND RENOVATION  
12 OR CONSTRUCTION OF THE BUILDING AND REAL ESTATE; AND FOR RELATED  
13 PURPOSES.

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

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

28 (2) If the building and real estate formerly owned by  
29 Wal-Mart Stores in the City of Magee is no longer available for  
30 purchase by the county, then the board of supervisors may purchase  
31 other real estate in the county and construct a building on the  
32 property, and purchase equipment, furniture and other furnishings



33 as necessary to equip the building for the purposes set forth in  
34 subsection (1) of this section.

35 (3) The board may issue general obligation bonds of the  
36 county, in accordance with the provisions set forth in Sections 3  
37 through 11 of this act, for the purposes described in subsection  
38 (1) or (2) of this section.

39 (4) The general obligation bonds of the county issued for  
40 the purposes of this section shall not exceed Two Million Dollars  
41 (\$2,000,000.00).

42 **SECTION 2.** If the building and real estate acquired and  
43 renovated or constructed under Section 1 of this act are no longer  
44 needed by the county for county purposes, the board may sell or  
45 otherwise dispose of the building and real estate on terms and  
46 conditions and with safeguards as will best promote and protect  
47 the public interest. The board may transfer title or possession  
48 to the building and real estate by warranty deed, bill of sale,  
49 contract or other customary business instrument in the same manner  
50 and to the same extent that any private corporation, association  
51 or person may contract with reference to property of a similar  
52 nature. Any sale of the building and real estate authorized under  
53 this section may be made at public or private sale. All income  
54 derived from the sale of the building and real estate may be  
55 applied to the retirement of bonds issued under Sections 3 through  
56 11 of this act or deposited into the general fund of the county to  
57 be used for any lawful purpose.

58 Contracts for the renovation, construction, improvement,  
59 equipping or furnishing of the building authorized to be acquired  
60 or constructed under Section 1 of this act shall be entered into  
61 upon the basis of public bidding under Section 31-7-1 et seq.,  
62 Mississippi Code of 1972.

63 **SECTION 3.** Before the issuance of any bonds under the  
64 provisions of this act, the board shall adopt a resolution  
65 declaring its intention so to do, stating the maximum amount of



66 the bonds proposed to be issued, the purpose for which the bonds  
67 are to be issued, and the date upon which the board proposes to  
68 authorize the issuance of the bonds. The resolution shall be  
69 published once a week for at least three (3) consecutive weeks in  
70 at least one (1) newspaper published in the county. The  
71 advertisement shall be no less than one-fourth (1/4) page in size  
72 and the type used shall be no smaller than eighteen (18) point and  
73 surrounded by a one-fourth-inch solid black border. The first  
74 publication of the resolution shall be made not less than  
75 twenty-one (21) days before the date fixed in the resolution to  
76 authorize the issuance of the bonds, and the last publication  
77 shall be made not more than seven (7) days before that date. If  
78 twenty percent (20%) or one thousand five hundred (1,500) of the  
79 qualified electors of the county, whichever is the lesser, file a  
80 written protest against the issuance of the bonds on or before the  
81 date specified in the resolution, then an election on the question  
82 of the issuance of the bonds shall be called and held as provided  
83 in this act. If no protest is filed, then the bonds may be issued  
84 without an election on the question of the issuance thereof at any  
85 time within a period of two (2) years after the date specified in  
86 the above-mentioned resolution; however, the board, in its  
87 discretion, may nevertheless call an election on that question, in  
88 which event it shall not be necessary to publish the resolution  
89 declaring its intention to issue the bonds as provided in this  
90 act.

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



99           **SECTION 5.** The election shall be held, as far as is  
100 practicable, in the same manner as other elections are held in  
101 counties. At the election, all qualified electors of the county  
102 may vote, and the ballots used at the election shall have printed  
103 thereon a brief statement of the amount and purpose of the  
104 proposed bond issue and the words "FOR THE BOND ISSUE" and  
105 "AGAINST THE BOND ISSUE," and the voter shall vote by placing a  
106 cross (x) or check mark (✓) opposite his choice on the  
107 proposition.

108           **SECTION 6.** When the results of the election on the question  
109 of the issuance of the bonds shall have been canvassed by the  
110 election commissioners of the county and certified by them to the  
111 board, it shall be the duty of the board to determine and  
112 adjudicate whether or not a majority of the qualified electors who  
113 voted thereon in the election voted in favor of the issuance of  
114 the bonds, and unless a majority of the qualified electors who  
115 voted thereon in the election have voted in favor of the issuance  
116 of the bonds, then the bonds shall not be issued. If a majority  
117 of the qualified electors who vote thereon in the election vote in  
118 favor of the issuance of the bonds, then the board may issue the  
119 bonds, whether in whole or in part, within two (2) years after the  
120 date of the election or the date of the final favorable  
121 termination of any litigation affecting the issuance of the bonds.

122           **SECTION 7.** This act, without reference to any other statute  
123 not referred to herein, shall be deemed to be full and complete  
124 authority for the borrowing of money and the issuing of bonds as  
125 authorized by the board and shall be construed as an additional  
126 and alternate method therefor.

127           **SECTION 8.** Any bonds issued under the provisions of this act  
128 shall be validated in the manner provided by law.

129           **SECTION 9.** No member of the Legislature, elected official or  
130 appointed official, or any partner or associate of any member of



131 the Legislature, elected official or appointed official, shall  
132 derive any income from the issuance of any bonds under this act.

133         **SECTION 10.** The board is further authorized to adopt any and  
134 all lawful resolutions, orders or ordinances and do and perform  
135 any and all acts and things necessary and requisite to carry out  
136 the purposes of this act.

137         **SECTION 11.** The Board of Supervisors of Simpson County,  
138 Mississippi, shall submit this act, immediately upon approval by  
139 the Governor, or upon approval by the Legislature subsequent to a  
140 veto, to the Attorney General of the United States or to the  
141 United States District Court for the District of Columbia in  
142 accordance with the provisions of the Voting Rights Act of 1965,  
143 as amended and extended.

144         **SECTION 12.** If this act is effectuated under Section 5 of  
145 the Voting Rights Act of 1965, as amended and extended, then this  
146 act shall take effect and be in force from and after the date it  
147 is effectuated under Section 5 of the Voting Rights Act of 1965,  
148 as amended and extended.

