

By: Senator(s) Robertson, Moffatt, Gollott,
Dawkins, Lee (47th), Walley, Morgan, Cuevas

To: Finance

SENATE BILL NO. 2431

1 AN ACT TO AMEND SECTION 37-29-437, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT ANY TAX LEVY THAT IS DESIGNATED FOR THE RETIREMENT
3 OF BONDS BY THE BOARD OF TRUSTEES OF THE MISSISSIPPI GULF COAST
4 JUNIOR COLLEGE DISTRICT SHALL NOT BE INCLUDED IN CERTAIN MILLAGE
5 LIMITATIONS; AND FOR RELATED 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 Junior College District shall certify the
12 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 four (4) mills nor shall the levy
20 for capital outlay, including purchase of lands, construction and
21 equipment of buildings and structures, and for making of major
22 repairs, * * * exceed three (3) mills. Any tax levy designated by
23 the board of trustees for the retirement of bonds issued under
24 Sections 37-29-401 through 37-29-437 shall not be included in any
25 millage limitation established in this section.

26 Promptly upon having certified the requirements of the
27 district to the several boards of supervisors the board of
28 trustees of the district shall cause publication of notice to be

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

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

62 The election shall be held in accordance with the laws
63 governing general elections as nearly as is practicable and the
64 election commissioners of each county shall, promptly after the
65 holding of said election, certify to the secretary of the board of
66 trustees of the district the result thereof in each county,
67 certifying also the number of qualified electors in each county on
68 the date of the holding of said election. The board of trustees
69 of the district shall promptly meet and consider the several
70 certificates of the election commissioners and shall determine the
71 result of said election in the district. If it shall be
72 determined that a majority of the qualified electors of the
73 district have voted against the levy requested, the same shall not
74 be made but the board of supervisors in each county shall continue
75 in effect the levy made for the preceding fiscal year. If it be
76 determined that a majority of the qualified electors has not voted
77 against said levy, it shall be the duty of the board of
78 supervisors of each county to make the levy as requested. * * *

79 **SECTION 2.** This act shall take effect and be in force from
80 and after its passage.