

By: Representative Miles

To: Transportation; Ways and
Means

HOUSE BILL NO. 283

1 AN ACT TO AUTHORIZE THE MISSISSIPPI TRANSPORTATION
2 COMMISSION, COUNTY BOARDS OF SUPERVISORS AND THE GOVERNING
3 AUTHORITIES OF MUNICIPALITIES TO CONSTRUCT, INDIVIDUALLY OR
4 JOINTLY WITH OTHER GOVERNMENTAL ENTITIES, TOLL ROAD OR TOLL BRIDGE
5 PROJECTS WITHIN THE STATE; TO AUTHORIZE THE MISSISSIPPI
6 TRANSPORTATION COMMISSION, COUNTY BOARDS OF SUPERVISORS AND THE
7 GOVERNING AUTHORITIES OF MUNICIPALITIES TO CONTRACT WITH ANY
8 PERSON, CORPORATION OR OTHER BUSINESS LICENSED TO DO BUSINESS IN
9 THE STATE FOR THE PURPOSE OF CONSTRUCTING TOLL ROADS OR BRIDGES;
10 TO PRESCRIBE THE TERMS AND CONDITIONS FOR THE LETTING OF SUCH
11 CONTRACTS AND THE RIGHTS AND DUTIES OF THE PARTIES ENTERING INTO
12 SUCH CONTRACTS; TO AUTHORIZE COUNTIES, CITIES AND THE STATE TO
13 ISSUE REVENUE BONDS TO FINANCE TOLL ROAD AND TOLL BRIDGE PROJECTS;
14 TO AMEND SECTION 65-3-1, MISSISSIPPI CODE OF 1972, IN CONFORMITY
15 TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

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

17 **SECTION 1.** The Mississippi Transportation Commission, county
18 boards of supervisors and/or the governing authorities of
19 municipalities (hereinafter referred to as governmental entities),
20 in their discretion, may construct, operate and maintain,
21 individually or jointly with other governmental entities, one or
22 more new toll roads or toll bridges in the state for motor vehicle
23 traffic, including toll booths and related facilities, at and
24 along such locations where an alternate untolled route exists.
25 All such highways, pavement, bridges, drainage related structures
26 and other infrastructure comprising the projects shall be built
27 and maintained in accordance with not less than the minimum
28 highway design, construction and maintenance standards established
29 by the contracting governmental entity for such highways,
30 infrastructure and facilities.

31 **SECTION 2.** (1) In addition to and as an alternative to any
32 other authority granted by law including, but not limited to,
33 Section 1 of this act, any governmental entities, as defined in

34 Section 1 of this act, in their discretion, may contract,
35 individually or jointly with other governmental entities, with any
36 persons, corporations, partnerships or other businesses licensed
37 to do business in the State of Mississippi (hereinafter referred
38 to as "companies" or "company") for the purpose of designing,
39 financing, constructing, operating and maintaining one or more new
40 toll roads or toll bridges in the state for motor vehicle traffic,
41 including toll booths and related facilities, at and along such
42 locations where an alternate untolled route exists. Such
43 contracts shall provide that land held by the governmental
44 entities, whether in fee simple, as an easement or other interest,
45 shall be leased or assigned to a company for design, construction,
46 operation and maintenance of roadways, highways or bridges for
47 motor vehicle traffic, toll booths and related facilities. All
48 such highways, pavement, bridges, drainage related structures and
49 other infrastructure comprising the projects shall be built and
50 maintained in accordance with not less than the minimum highway
51 design, construction and maintenance standards established by the
52 contracting governmental entity for such highways, infrastructure
53 and facilities. The contracting governmental entity shall conduct
54 periodic inspections of any such project throughout the term of
55 the contract to ensure compliance by the company. Failure of a
56 company to comply with minimum standards established for the
57 project by the contracting governmental entity shall constitute a
58 breach and shall subject the company to liability on its bond or
59 security or to rescission of the contract in accordance with the
60 terms and provisions of the contract.

61 (2) Every contract entered into by a governmental entity
62 under this section shall require a company to enter into bond and
63 provide such security as the governmental entity determines may be
64 necessary or advisable to ensure timely completion and proper
65 execution and performance of the contract. The governmental
66 entities are authorized to acquire such property or interests in

67 property as may be necessary, by gift, purchase or eminent domain,
68 for construction and maintenance of the highways or bridges built
69 pursuant to contracts entered into under this section. Upon
70 expiration, termination or rescission of the contract, all
71 interests that the company may have in the land, infrastructure,
72 facilities or other improvements to the property subject to
73 contract shall terminate and automatically, by operation of law,
74 be returned or conveyed to and vest in the State of Mississippi or
75 the contracting governmental entity. Upon termination, expiration
76 or rescission of the contract, the collection of tolls shall cease
77 after all associated debts have been retired or released.

78 (3) During the term of any contract entered into under this
79 section, the company may establish, charge and collect motor
80 vehicle operators tolls for use of the highway and its facilities.
81 The amount of such tolls, and any modification thereto, shall be
82 subject to approval by the contracting governmental entity;
83 however, all such contracts entered into with the Mississippi
84 Transportation Commission may require a company to pay a
85 percentage of all tolls collected to the Mississippi Department of
86 Transportation. All such tolls paid to the department shall be
87 deposited into the special bond sinking fund under Section 5 of
88 this act and may be expended only as authorized by the
89 Legislature.

90 (4) All statutes of this state relating to traffic
91 regulation and control shall be applicable to motor vehicles
92 operated upon highways and bridges constructed under this section
93 and shall be enforceable by the Mississippi Department of Public
94 Safety, the Mississippi Highway Safety Patrol or any other law
95 enforcement agency having jurisdiction over such highways and
96 bridges.

97 (5) The State of Mississippi, the Mississippi Transportation
98 Commission, the Mississippi Department of Transportation,
99 counties, municipalities or any other agency or political

100 subdivision, or any officer or employee thereof, shall not be
101 liable for any tortious act or omission arising out of the
102 construction, maintenance or operation of any highway or bridge
103 project under the provisions of this section where the act or
104 omission occurs during the term of any such contract entered into
105 by the Mississippi Transportation Commission or other governmental
106 entity and a company.

107 (6) The powers conferred by this section shall be in
108 addition to the powers conferred by any other law, general,
109 special or local. This section shall be construed as an
110 additional and alternative method of funding all or any portion of
111 the purchasing, building, improving, owning or operating of
112 roadways, highways or bridges under the jurisdiction of the
113 Mississippi Transportation Commission, county boards of
114 supervisors or municipal governing authorities, any provision of
115 the laws of the state or any charter of any municipality to the
116 contrary notwithstanding.

117 **SECTION 3.** (1) For the purpose of providing funds to defray
118 the expenses of projects authorized pursuant to Sections 1 and 2
119 of this act, the board of supervisors of a county or the governing
120 authorities of a municipality shall have the right to borrow money
121 for the project, and to issue revenue bonds therefor in such
122 principal amounts as the board of supervisors or governing
123 authorities may determine to be necessary to provide sufficient
124 funds to defray the expenses of projects authorized pursuant to
125 Sections 1 and 2 of this act. The bonds shall be payable out of
126 any revenues derived from the project, including grants or
127 contributions from the federal government or other sources. Such
128 bonds may be sold at public or private sale at not less than par
129 and shall bear interest at a rate or rates not exceeding that
130 allowed in Section 75-17-103. Any such bonds so issued shall not
131 constitute a debt of the county, the municipality or any political
132 subdivision of the county or the city within the meaning of any

133 constitutional, statutory or charter restriction, limitation or
134 provision. It shall be plainly stated on the face of each bond in
135 substance that the bond has been issued pursuant to the authority
136 granted in this section and that the taxing power of the county or
137 municipality issuing the bond is not pledged to the payment of the
138 bond or the interest on it and that the bond and the interest on
139 it are payable solely from the revenues of the project for which
140 the bond is issued.

141 (2) All bonds issued under the authority of this section
142 shall bear such date or dates, shall be in such form or
143 denomination, shall bear such rate of interest, and shall mature
144 at such times as the county or municipality shall determine, but
145 no bonds issued under the authority of this section shall mature
146 more than thirty (30) years from the date of the issuance thereof
147 and none of the bonds shall be sold for less than par and accrued
148 interest. All bonds shall be sold in the manner now provided by
149 law for the sale of bonds without any restrictions, limitations,
150 requirements or conditions applicable to the borrowing of such
151 money and the issuance of such bonds which are not herein
152 contained. The denomination, form, place of payment and other
153 details of such bonds may be determined by resolution or order of
154 the board of supervisors of a county or the governing authorities
155 of a municipality, and shall be executed on behalf of the county
156 or municipality as is now provided by law.

157 (3) Before issuing any bonds under the provisions of this
158 section, the board of supervisors of the county or the governing
159 authorities of the municipality shall, by resolution spread upon
160 the minutes, declare its intention to issue such bonds for the
161 purposes authorized by this section and shall state in the
162 resolution the amount of bonds proposed to be issued and shall
163 likewise fix in the resolution the date upon which the board of
164 supervisors of the county or the governing authorities of the
165 municipality proposes to direct the issuance of the bonds. Notice

166 of such intention shall be published once a week for at least
167 three (3) consecutive weeks in a newspaper published or having a
168 general circulation in the county or the municipality, with the
169 first publication of the notice to be made not less than
170 twenty-one (21) days prior to the date fixed in the resolution for
171 the issuance of the bonds and the last publication to be made not
172 more than seven (7) days prior to such date. If, on or before the
173 date specified in the resolution, twenty percent (20%) or fifteen
174 hundred (1500), whichever is less, of the qualified electors of
175 the county or municipality shall file a written protest against
176 the issuance of the bonds, then an election upon the issuance of
177 the bonds shall be called, and held, as provided in this section.
178 If no such protest shall be filed, then the board of supervisors
179 of the county or the governing authorities of the municipality may
180 issue such bonds without an election on the question of the
181 issuance of the bonds at any time within a period of two (2) years
182 after the date specified in the resolution.

183 (4) If an election is called under the provisions of this
184 section on the question of the issuance of bonds, the election
185 shall be held, insofar as practicable, in the same manner as other
186 elections are held in the county or municipality. At the
187 election, all qualified electors of the county or municipality may
188 vote and the ballots used in the election shall have printed
189 thereon a brief statement of the amount and purposes of the
190 proposed bond issue and the words "FOR THE BOND ISSUE" and the
191 words "AGAINST THE BOND ISSUE," and the voters shall vote by
192 placing a cross (X) or check mark (✓) opposite their choice on the
193 proposition.

194 (5) When the results of any election provided for in this
195 section shall have been canvassed by the election commissioners of
196 the county or municipality and certified by them to the proper
197 authorities, it shall be the duty of the board of supervisors of
198 the county or the governing authorities of the municipality to

199 determine and adjudicate whether or not a majority of the
200 qualified electors who voted in the election voted in favor of the
201 issuance of the bonds and unless a majority of the qualified
202 electors who voted in the election voted in favor of the issuance
203 of the bonds, then the bonds shall not be issued. Should a
204 majority of the qualified electors who vote in the election vote
205 in favor of the bonds, the board of supervisors of the county or
206 the governing authorities of the municipality may issue the bonds,
207 either in whole or in part, within two (2) years from the date of
208 such election, or within two (2) years after final favorable
209 determination of any litigation affecting the issuance of such
210 bonds at such time or times, and in such amount or amounts, not
211 exceeding that specified in the notice of the election, as shall
212 be deemed proper.

213 (6) This section, without reference to any other statute,
214 shall be deemed to be full and complete authority for the issuance
215 of bonds and borrowing of money as authorized in this section by
216 counties or municipalities, and shall be construed as an
217 additional and alternate method therefor. The bonds authorized by
218 this section shall not constitute an indebtedness within the
219 meaning of any constitutional or statutory limitation or
220 restriction.

221 **SECTION 4.** (1) (a) A special fund, to be designated as the
222 "Toll Road Revenue Bond Fund," is created within the State
223 Treasury. The fund shall be maintained by the State Treasurer as
224 a separate and special fund, separate and apart from the General
225 Fund of the state. Unexpended amounts remaining in the fund at
226 the end of a fiscal year shall not lapse into the State General
227 Fund, and any interest earned or investment earnings on amounts in
228 the fund shall be deposited into such fund.

229 (b) Monies deposited into the fund shall be disbursed,
230 in the discretion of the Mississippi Transportation Commission, to

231 pay the costs incurred in defraying the expenses of projects
232 authorized pursuant to Sections 1 and 2 of this act.

233 (2) Amounts deposited into such special fund shall be
234 disbursed to pay the expenses described in subsection (1) of this
235 section. If any monies in the special fund are not used within
236 six (6) years after the date the proceeds of the bonds authorized
237 under Sections 4 through 19 of this act are deposited into such
238 fund, then the Mississippi Transportation Commission shall provide
239 an accounting of such unused monies to the State Bond Commission.
240 Promptly after the State Bond Commission has certified, by
241 resolution duly adopted, that the projects for which the revenue
242 bonds have been issued shall have been completed, abandoned or
243 cannot be completed in a timely fashion, any amounts remaining in
244 such special fund shall be applied to pay debt service on the
245 bonds issued under Sections 4 through 19 of this act, in
246 accordance with the proceedings authorizing the issuance of such
247 bonds and as directed by the commission.

248 **SECTION 5.** For the purpose of providing for the payment of
249 the principal of and interest upon bonds issued under the
250 provisions of Sections 4 through 19 of this act, there is created
251 a special bond sinking fund in the State Treasury. The special
252 bond sinking fund shall consist of the monies required to be
253 deposited into the fund under Section 2 of this act and such other
254 amounts as the Legislature may direct to be paid into the fund by
255 appropriation or other authorization by the Legislature.
256 Unexpended amounts remaining in the special bond sinking fund at
257 the end of a fiscal year shall not lapse into the State General
258 Fund, and any interest earned or investment earnings on amounts in
259 the special bond sinking fund shall be deposited into such sinking
260 fund.

261 **SECTION 6.** The State Bond Commission, at one time or from
262 time to time, may declare by resolution the necessity for issuance
263 of revenue bonds of the State of Mississippi for the purpose of

264 providing funds to defray the expenses of projects authorized
265 pursuant to Sections 1 and 2 of this act. Upon the adoption of a
266 resolution by the Mississippi Transportation Commission, declaring
267 the necessity for the issuance of the revenue bonds authorized by
268 this section, the Mississippi Transportation Commission shall
269 deliver a certified copy of its resolution or resolutions to the
270 State Bond Commission. Upon receipt of such resolution, the State
271 Bond Commission, in its discretion, may act as the issuing agent,
272 prescribe the form of the bonds, advertise for and accept bids,
273 issue and sell, at public or private sale, the bonds so authorized
274 to be sold and do any and all other things necessary and advisable
275 in connection with the issuance and sale of such bonds. Revenue
276 bonds issued under this section shall be in such principal amounts
277 as the Mississippi Transportation Commission may determine to be
278 necessary to provide sufficient funds to defray the expenses of
279 projects authorized pursuant to Sections 1 and 2 of this act.

280 (2) Any investment earnings on amounts deposited into the
281 special fund created in Section 4 of this act shall be used to pay
282 debt service on bonds issued under Sections 4 through 19 of this
283 act, in accordance with the proceedings authorizing issuance of
284 such bonds.

285 **SECTION 7.** The principal of and interest on the bonds
286 authorized under Sections 4 through 19 of this act shall be
287 payable in the manner provided in this section. Such bonds shall
288 bear such date or dates, be in such denomination or denominations,
289 bear interest at such rate or rates (not to exceed the limits set
290 forth in Section 75-17-103, Mississippi Code of 1972), be payable
291 at such place or places within or without the State of
292 Mississippi, shall mature absolutely at such time or times not to
293 exceed thirty (30) years from date of issue, be redeemable before
294 maturity at such time or times and upon such terms, with or
295 without premium, shall bear such registration privileges, and

296 shall be substantially in such form, all as shall be determined by
297 resolution of the State Bond Commission.

298 **SECTION 8.** The bonds authorized by Sections 4 through 19 of
299 this act shall be signed by the Chairman of the State Bond
300 Commission, or by his facsimile signature, and the official seal
301 of the State Bond Commission shall be affixed thereto, attested by
302 the secretary of the commission. The interest coupons, if any, to
303 be attached to such bonds may be executed by the facsimile
304 signatures of such officers. Whenever any such bonds shall have
305 been signed by the officials designated to sign the bonds who were
306 in office at the time of such signing but who may have ceased to
307 be such officers before the sale and delivery of such bonds, or
308 who may not have been in office on the date such bonds may bear,
309 the signatures of such officers upon such bonds and coupons shall
310 nevertheless be valid and sufficient for all purposes and have the
311 same effect as if the person so officially signing such bonds had
312 remained in office until their delivery to the purchaser, or had
313 been in office on the date such bonds may bear. However,
314 notwithstanding anything herein to the contrary, such bonds may be
315 issued as provided in the Registered Bond Act of the State of
316 Mississippi.

317 **SECTION 9.** All bonds and interest coupons issued under the
318 provisions of Sections 4 through 19 of this act have all the
319 qualities and incidents of negotiable instruments under the
320 provisions of the Uniform Commercial Code, and in exercising the
321 powers granted by Sections 4 through 19 of this act, the State
322 Bond Commission shall not be required to and need not comply with
323 the provisions of the Uniform Commercial Code.

324 **SECTION 10.** The State Bond Commission shall act as the
325 issuing agent for the bonds authorized under Sections 4 through 19
326 of this act, prescribe the form of the bonds, advertise for and
327 accept bids, issue and sell, at public or private sale, the bonds
328 so authorized to be sold, pay all fees and costs incurred in such

329 issuance and sale, and do any and all other things necessary and
330 advisable in connection with the issuance and sale of such bonds.
331 The State Bond Commission is authorized and empowered to pay the
332 costs that are incident to the sale, issuance and delivery of the
333 bonds authorized under Sections 4 through 19 of this act from the
334 proceeds derived from the sale of such bonds. The State Bond
335 Commission shall sell such bonds on sealed bids at public or
336 private sale, and for such price as it may determine to be for the
337 best interest of the State of Mississippi, but no such sale shall
338 be made at a price less than par plus accrued interest to the date
339 of delivery of the bonds to the purchaser. All interest accruing
340 on such bonds so issued shall be payable semiannually or annually;
341 however, the first interest payment may be for any period of not
342 more than one (1) year.

343 Notice of the sale of any such bonds shall be published at
344 least one time, not less than ten (10) days before the date of
345 sale, and shall be so published in one or more newspapers
346 published or having a general circulation in the City of Jackson,
347 Mississippi, and in one or more other newspapers or financial
348 journals with a national circulation, to be selected by the State
349 Bond Commission.

350 The State Bond Commission, when issuing any bonds under the
351 authority of Sections 4 through 19 of this act, may provide that
352 bonds, at the option of the State of Mississippi, may be called in
353 for payment and redemption at the call price named therein and
354 accrued interest on such date or dates named therein.

355 **SECTION 11.** Bonds issued under authority of Sections 4
356 through 19 of this act shall be revenue bonds of the state, the
357 principal of and interest on which shall be payable solely from
358 the revenue from projects authorized under Section 1 or 2 of this
359 act. The bonds shall never constitute an indebtedness of the
360 state within the meaning of any state constitutional provision or
361 statutory limitation, and shall never constitute or give rise to a

362 pecuniary liability of the state, or a charge against its general
363 credit or taxing powers, and such fact shall be plainly stated on
364 the face of each such bond. The bonds shall not be considered
365 when computing any limitation of indebtedness of the state. All
366 bonds issued under the authority of Sections 4 through 19 of this
367 act and all interest coupons applicable thereto shall be construed
368 to be negotiable instruments, despite the fact that they are
369 payable solely from a specified source.

370 **SECTION 12.** Upon the issuance and sale of bonds under the
371 provisions of Sections 4 through 19 of this act, the State Bond
372 Commission shall transfer the proceeds of any such sale or sales
373 to a special fund created in Section 4 of this act. The proceeds
374 of such bonds shall be disbursed solely upon the order of the
375 Mississippi Transportation Commission under such restrictions, if
376 any, as may be contained in the resolution providing for the
377 issuance of the bonds.

378 **SECTION 13.** The bonds authorized under Sections 4 through 19
379 of this act may be issued without any other proceedings or the
380 happening of any other conditions or things other than those
381 proceedings, conditions and things which are specified or required
382 by Sections 4 through 19 of this act. Any resolution providing
383 for the issuance of bonds under the provisions of Sections 4
384 through 19 of this act shall become effective immediately upon its
385 adoption by the commission, and any such resolution may be adopted
386 at any regular or special meeting of the commission by a majority
387 of its members.

388 **SECTION 14.** The bonds authorized under the authority of
389 Sections 4 through 19 of this act may be validated in the Chancery
390 Court of the First Judicial District of Hinds County, Mississippi,
391 in the manner and with the force and effect provided by Chapter
392 13, Title 31, Mississippi Code of 1972, for the validation of
393 county, municipal, school district and other bonds. The notice to
394 taxpayers required by such statutes shall be published in a

395 newspaper published or having a general circulation in the City of
396 Jackson, Mississippi.

397 SECTION 15. Any holder of bonds issued under the provisions
398 of Sections 4 through 19 of this act or of any of the interest
399 coupons pertaining thereto may, either at law or in equity, by
400 suit, action, mandamus or other proceeding, protect and enforce
401 any and all rights granted under Sections 4 through 19 of this
402 act, or under such resolution, and may enforce and compel
403 performance of all duties required by Sections 4 through 19 of
404 this act to be performed, in order to provide for the payment of
405 bonds and interest thereon.

406 SECTION 16. All bonds issued under the provisions of
407 Sections 4 through 19 of this act shall be legal investments for
408 trustees and other fiduciaries, and for savings banks, trust
409 companies and insurance companies organized under the laws of the
410 State of Mississippi, and such bonds shall be legal securities
411 which may be deposited with and shall be received by all public
412 officers and bodies of this state and all municipalities and
413 political subdivisions for the purpose of securing the deposit of
414 public funds.

415 SECTION 17. Bonds issued under the provisions of Sections 4
416 through 19 of this act and income therefrom shall be exempt from
417 all taxation in the State of Mississippi.

418 SECTION 18. The proceeds of the bonds issued under Sections
419 4 through 19 of this act shall be used solely for the purposes
420 provided in Sections 4 through 19 of this act, including the costs
421 incident to the issuance and sale of such bonds.

422 SECTION 19. The State Treasurer is authorized, without
423 further process of law, to certify to the Department of Finance
424 and Administration the necessity for warrants, and the Department
425 of Finance and Administration is authorized and directed to issue
426 such warrants, in such amounts as may be necessary to pay when due
427 the principal of, premium, if any, and interest on, or the

428 accreted value of, all bonds issued under Sections 4 through 19 of
429 this act; and the State Treasurer shall forward the necessary
430 amount to the designated place or places of payment of such bonds
431 in ample time to discharge such bonds, or the interest thereon, on
432 the due dates thereof.

433 **SECTION 20.** Section 65-3-1, Mississippi Code of 1972, is
434 amended as follows:

435 65-3-1. Subject only to the provisions hereinafter
436 contained, it shall be unlawful for any person, acting privately
437 or in any official capacity or as an employee of any subdivision
438 of the state, to charge or collect any toll or other charge from
439 any person for the privilege of traveling on any part of any
440 highway which has been heretofore or may hereafter be designated
441 as a state highway, and being a part of the state highway system,
442 or on or across any bridge wholly within this state, which is a
443 part of any such highway.

444 For a violation of this section, any judge or chancellor may,
445 in termtime or vacation, grant an injunction upon complaint of the
446 Mississippi Transportation Commission.

447 However, none of the provisions of this section shall
448 prohibit the collection of any toll or other charge for the
449 privilege of traveling on, or the use of, any causeway, bridge,
450 tunnel, toll bridge, or any combination of such facility
451 constructed under the provisions of Sections 65-23-101 through
452 65-23-119, forming a part of U.S. Highway * * * 90 across the Bay
453 of St. Louis, or across or under the East Pascagoula River or the
454 West Pascagoula River on * * * U.S. Highway 90.

455 The provisions of this section shall be inapplicable to any
456 toll road or bridge built or operated under the authority of
457 Section 1 or Section 2 of Senate Bill No. 2063, 2004 Regular
458 Session.

459 **SECTION 21.** The Attorney General of the State of Mississippi
460 shall submit this act, immediately upon approval by the Governor,

461 or upon approval by the Legislature subsequent to a veto, to the
462 Attorney General of the United States or to the United States
463 District Court for the District of Columbia in accordance with the
464 provisions of the Voting Rights Act of 1965, as amended and
465 extended.

466 **SECTION 22.** This act shall take effect and be in force from
467 and after the date it is effectuated under Section 5 of the Voting
468 Rights Act of 1965, as amended and extended.