

Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO

Senate Bill No. 2962

BY: Committee

**Amend by striking all after the enacting clause and inserting
in lieu thereof the following:**

9 **SECTION 1.** Section 19-5-151, Mississippi Code of 1972, is
10 amended as follows:
11 19-5-151. (1) (a) Any contiguous area situated within any
12 county of the state, and not being situated within the corporate
13 boundaries of any existing municipality, and having no adequate
14 water system, sewer system, garbage and waste collection and
15 disposal system, or fire protection facilities serving such area,
16 may become incorporated as a water district, as a sewer district,
17 as a garbage and waste collection and disposal district, as a fire
18 protection district, as a combined water and sewer district, as a
19 combined water and garbage and waste collection and disposal
20 district, as a combined water and fire protection district, or as
21 a combined water, sewer, garbage and waste collection and disposal
22 and fire protection district, in the manner set forth in the
23 following sections.
24 (b) Any rates, fees, assessments or other charges set
25 by the Diamondhead Water and Sewer District shall be approved by
26 the Mississippi Public Service Commission before implementation of
27 such rates, fees, assessments or other charges.

28 (c) Any person aggrieved by any rates, fees,
29 assessments or other charges set by the Diamondhead Water and
30 Sewer District may appeal to the Mississippi Public Service
31 Commission.

32 (d) The adjustment of rates or fees by a public agency
33 or any utility provider that has contracted with the Diamondhead
34 Water and Sewer District may be implemented only upon approval by
35 the Public Service Commission.

36 (2) If the certificated area * * * of * * * a nonprofit,
37 nonshare corporation chartered under the Mississippi Nonprofit
38 Corporation Act for the purpose of owning and operating rural
39 waterworks lies in one (1) county, the corporation may become
40 incorporated as a water district in the manner set forth in
41 Section 19-5-153(3). If the nonprofit, nonshare corporation's
42 certificated area lies in more than one (1) county, the procedure
43 in Section 19-5-164 shall be used.

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

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 19-5-151, MISSISSIPPI CODE OF 1972,
2 TO CLARIFY THE INCORPORATION OF RURAL WATER ASSOCIATIONS INTO
3 WATER DISTRICTS; TO REQUIRE THE DIAMONDHEAD WATER AND SEWER
4 DISTRICT TO OBTAIN APPROVAL BY THE MISSISSIPPI PUBLIC SERVICE
5 COMMISSION UPON SETTING CERTAIN FEES; TO AUTHORIZE APPEAL TO THE
6 MISSISSIPPI PUBLIC SERVICE COMMISSION FOR CERTAIN GRIEVANCES; AND
7 FOR RELATED PURPOSES.