



2017
Legislative
Session
Summary

MISSISSIPPI STATE
UNIVERSITY®

EXTENSION

CENTER FOR GOVERNMENT
AND
COMMUNITY DEVELOPMENT



THE CENTER FOR GOVERNMENT AND COMMUNITY DEVELOPMENT

The Center for Government and Community Development (GCD) is a unit of the Mississippi State University Extension Service, which is located within the Division of Agriculture, Forestry, and Veterinary Medicine at Mississippi State University.

The center's staff members design and deliver educational programs, training activities, information, and technical assistance in response to the high-priority economic and community development needs of Mississippi communities and their citizens. Participants in GCD programs include local government leaders, community-based organizations, state and local agencies, and business enterprises.

The activities of the center help the university build strong partnerships with agencies, institutions, organizations, and foundations that have a shared commitment to strengthening the well-being of Mississippi communities and supporting the work of local government officials.

The GCD mission also includes providing community leaders, organizations, agencies, businesses, and citizens with high-quality, science-based information on economic and community development topics. This is accomplished through a variety of communication channels, including newsletters, websites, trade magazines, and special reports.

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2017 Legislation Affecting Municipalities

HB51

Multiple Changes to Municipal Law.

Municipal ordinance regulating or restricting parking; remove certain signage requirement.

Removes the requirement for posting a sign within two hundred fifty (250) feet of the enforcement area.

Amend section 21-15-41, to clarify the service limitation period for municipal appointees serving in an interim or hold-over capacity

No person shall serve in an interim or hold-over capacity for longer than one hundred eighty (180) days in a position that is required by law to be filled by appointment of the governing body of a municipality, or by mayoral appointment with the advice and consent of the council or aldermen. If such position is not filled within one hundred eighty (180) days after the expiration of the position's term, or within one hundred eighty (180) days after the date of appointment if an interim appointment, the hold-over service or interim appointment shall terminate and no municipal funds may thereafter be expended to compensate the person serving in the position. Further, any action or vote taken by such person after the one hundred eighty-day period shall be invalid and without effect. If a council or board of aldermen rejects, or otherwise fails to confirm, an individual submitted by the mayor for appointment, the mayor may not resubmit or reappoint the same individual for that position during the remainder of the mayor's current term in office. It is the intent of the Legislature that the provisions of this section shall apply retroactively to all appointees serving in a hold-over or interim capacity on the effective date (July 1, 2017) of this act and for such appointees, the one hundred eighty-day limitation period shall commence to run on the effective date of this act.

To amend section 21-23-7, to authorize municipal judges to hold court for any purpose outside the boundaries of the municipality in a public building designated by the municipal governing authorities; to provide that the public building must be within a one-mile radius of the municipality.

HB1106

Multiple Changes to Purchasing Law. Please seek guidance from the Office of State Auditors Technical Assistance Division

HB1109

Require state agencies and governing authorities to provide, as an additional bidding option, a secure electronic interactive system for the submittal of bids for certain purchases requiring competitive bidding

HB116

Special meetings; require notice of to be posted on public body's website.

Except as otherwise provided by law, a notice of a called special meeting shall be posted to the public body's website, if the public body has a website and has the capability to update the website, not less than one (1) hour before the meeting. A copy of this notice shall be transmitted via email or facsimile not less than one (1) hour before the meeting to any citizen and any publication, broadcast and digital media with a general circulation or coverage within the public body's jurisdiction that has submitted in writing its interest to receive these notices. Any public body may, at its discretion, purge any list of publications, broadcasts or digital media that have requested to receive the notices once every twenty-four (24) months. After the purge, any publication, broadcast or digital media may resubmit in writing its interest to receive the notices. Nothing in this paragraph shall add additional notice requirements for meetings of public bodies held in cases of emergencies. The provision of this paragraph requiring notice to be posted on the public body's website shall not apply to municipalities with a population as determined by the latest federal decennial census of less than twenty-five thousand (25,000) inhabitants, and any county with less than fifty thousand (50,000) according to the latest federal decennial census.

- HB119 Open Meetings Act; revise portion that deals with teleconference and video meetings.**
A public body may conduct any meeting through teleconference or video means. A quorum of a public body as prescribed by law may be at different locations for the purpose of conducting a meeting through teleconference or video means provided that the equipment used is located at the place where the public body normally meets or at a public location specified in any notice of a special meeting, and provided that the equipment allows all members of the public body and members of the public who attend the meeting to hear the deliberations of the public body.
- Votes taken during any meeting conducted through teleconference or video means shall be taken in a manner that is clearly audible or visible to all members of the public body and to members of the public present at the public location.
- Removes the requirement to archive audio/visual recording of the meeting.
- HB1321 Beer and light wine; allow certain cities with a population of 1,500 or more to hold elections to permit the sale of**
Adds provision for city to hold an election to permit the sale of beer and light wine. Any city in this state having a population of not less than one thousand five hundred (1,500) according to the latest federal census and located within three (3) miles of a city or county that permits the sale, receipt, storage and transportation for the purpose of sale of beer or light wine may hold an election to permit the sale of beer and light wine.
- HB1321 Light wine or beer; authorize small craft breweries to sell light wine or beer they produce on the premises of the brewery.**
An act to create new section 67-3-48, to authorize small craft breweries located in Mississippi that produce not more than 60,000 barrels of light wine or beer annually to sell on the premises of the brewery light wine or beer produced at such brewery for consumption on or off the premises of the brewery; to create new section 67-3-48.1, to authorize a small craft brewery that is acquired by an entity that manufactures light wine or beer that does not fall within the definition of the term "small craft brewery" to continue to operate as a small craft brewery under certain circumstances; to authorize a small craft brewery that acquires an entity that manufactures light wine or beer that does not fall within the definition of the term "small craft brewery" to continue to operate as a small craft brewery under certain circumstances; to amend section 67-3-22, to revise the beer production limits that apply to brewpubs and to authorize brewpubs to sell light wine or beer produced at the brewpub for consumption off the premises of the brewpub in certain containers and to impose an excise or privilege tax on light wine or beer provided by small craft breweries for retail sale by such breweries and upon beer provided for tasting or sampling; and for related purposes.
- SB2263 Municipalities; change minimum population required to advertise budget hearings by posting notices rather than by publication.**
If the proposed tax levies of a municipality are not in excess of the current fiscal year's certified tax rate and the municipality has a population of less than two thousand (2,000) (It was previously 1,000) according to the latest federal decennial census, the municipality may advertise the public hearing by posting notice of the public hearing in three (3) public places in the municipality.

- SB2345** **Alcoholic beverages; remove provision that prohibits advertisements from originating in a dry area.**
Advertising such as newspapers, radio, & other media are no longer prohibited from advertising when it originates from a dry area.
Notwithstanding the provisions of this section to the contrary it shall be unlawful to advertise alcoholic beverages by means of signs, billboards or displays in any municipality, county or judicial district which has not voted pursuant to the provisions of this chapter to legalize the sale of alcoholic beverages.
- SB2437** **Taxing entities; require to file annual report on tax revenues with Department of Revenue instead of State Auditor.**
Requires taxing entities to file their annual report on tax revenues with the Department of Revenue instead of the State Auditor.
- SB2710** **Sanctuary cities; prohibit adoption or enactment of.**
No state agency, department, political subdivision of this state, county, municipality, university, college, community college or junior college, or any agent, employee or officer thereof shall adopt, or implement a policy, order or ordinance that (a) limits or prohibits any person from communicating or cooperating with federal agencies or officials to verify or report the immigration status of any person; or (b) grants to any person the right to lawful presence or status within the state, a county or municipality, or the campus of a university, college, community college or junior college in violation of state or federal law.

Other Bills of Interest

HB1226 Capitol Complex Improvement District; create and fund improvement projects within.

HB1754 City of Madison; authorize use of golf carts on certain streets within.



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