

2019
Legislative
Session
Summary



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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2019 Legislation Affecting Municipalities

- HB 273** **Community hospitals; authorize board of trustees members to participate in health insurance plan.**
Community hospitals; authorize board of trustees members to participate in health insurance plan. The members of the board of trustees of a community hospital may, at the discretion of the board, choose to participate in any hospital medical benefit plan or health insurance plan, whether self-funded or otherwise, which may be in effect for hospital employees. Any member of the board of trustees choosing to participate in such plan shall pay the same amount for his or her participation in the plan as hospital employees are required to pay for their participation in such plan.
- HB 366** **Mississippi Broadband Enabling Act; create.**
An act to create the Mississippi Broadband Enabling Act. Office of the Attorney General Opinion No. 2019-00061 March 15, 2019, reaffirms their opinion that a municipality does not have the authority to provide broadband services as a part of its utility system.
- HB 580** **Mississippi Transportation Commission; authorize to require its contractors to provide work zone safety operations.**
An act to authorize the Mississippi Transportation Commission to require its contractors to provide work zone safety operations; to authorize the commission's contractors to enter into agreements with state and local law enforcement agencies to provide work zone safety operations; to authorize the commission to utilize its officers to perform certain work zone safety operation functions; to amend section 63-3-516, Mississippi Code of 1972, to provide new criminal penalties for highway work zone violations that result in property damage or serious bodily injury or death; and for related purposes.
- HB 677** **School bus overtaking; provide that all may report.**
An act to amend section 63-3-615, Mississippi Code of 1972, to provide that any person may witness the driver of a vehicle overtaking a school bus; to allow a school bus driver, for the purpose of preventing being overtaken when receiving or discharging any school children, may stop to block the two outermost lanes of traffic; and for related purposes.
- HB 695** **Income tax; extend repealer on credit for certain costs paid by a company in relocating national or regional headquarters to this state.**
An act to amend section 57-73-21, Mississippi Code of 1972, to extend the date of the repealer on the provision of law that authorizes an income tax credit for any company that transfers or relocates its national or regional headquarters to the state of Mississippi from outside the state of Mississippi; and for related purposes.
- HB 698** **Construction contracts; allow public entities to allocate additional funds to project budget.**
On or before the date and time established to receive bids for any contract related to the construction of any building, highway, road, bridge or other public work or improvement by the State of Mississippi, its agencies, departments, institutions, or instrumentalities of the state or political subdivisions of the state, such entity shall establish a cost estimate for the project. The cost estimate shall reflect the total amount of funds allocated to the project, including the specific amount allocated for construction. Additional funds may be allocated to a project at any time, including for purposes of awarding a contract to the lowest and best bidder. Additional funds may not be allocated after the date and time established for the receipt of bids for the purpose of increasing negotiation authority.
- HB 713** **Local Government Capital Improvements Revolving Loan Fund; extend repealer on MDA authority to use certain funds for expenses.**
An act to amend section 57-1-303, Mississippi Code of 1972, to extend the date of the repealer on the provision of law that authorizes the Mississippi Development Authority to use certain monies in the local governments capital improvements revolving loan fund for ordinary and necessary general support of the authority; and for related purposes.

- HB 754 Excess weight permits; authorize vehicles hauling bulk feed, wood pellets to apply for harvest permit and extend repealer.**
An act to amend section 27-19-81, Mississippi Code of 1972, to authorize the owner or operator of bulk feed or wood pellets to apply to the Mississippi Department of Transportation for a harvest permit for the purpose of authorizing any such vehicles to operate on the highways in this state; to extend the date of repeal on this authority until July 1, 2023; and for related purposes.
- HB 779 Transportation funds; revise provisions regarding.**
An act to amend section 65-1-179, Mississippi Code of 1972, to revise how the emergency road and bridge repair fund monies may be spent; to amend section 19-11-27, Mississippi Code of 1972, to allow county boards of supervisors to expend certain transportation fund monies during the last term of office of such boards; to amend section 65-7-95, Mississippi Code of 1972, to provide exceptions to certain limitations on boards of supervisors awarding of contracts for roads and bridges; and for related purposes.
- HB 800 MS Debt Management Services Act; extend repealer on.**
An act to reenact sections 81-22-1 through 81-22-28, Mississippi Code of 1972, which are the Mississippi Debt Management Services Act; to amend section 81-22-31, Mississippi Code of 1972, to extend the date of the repealer on the Mississippi Debt Management Services Act; and for related purposes.
- HB 807 Public lands; extend repealer on statute prohibiting corporations and nonresident aliens from purchasing.**
An act to amend section 29-1-75, Mississippi Code of 1972, to extend the date of the repealer on the restrictions imposed on the purchase of public lands by certain corporations and nonresident aliens; and for related purposes.
- HB 808 Income tax; extend repealer on tax credit for new cut and sew jobs in upholstered furniture manufacturing industry.**
An act to amend section 27-7-22.36, Mississippi Code of 1972, which authorizes an income tax credit for enterprises that own or operate upholstered household furniture manufacturing facilities for each full-time employee employed by the such enterprise in a new cut and sew job, to extend the date of the repealer on that section; and for related purposes.
- HB 869 Private project construction bonds; regulate.**
An act to create new code section 85-7-432, Mississippi Code of 1972, to regulate private project construction bonds; to authorize any person who has performed work on a private project, but has not been paid within a certain time, to sue; to create a right of action upon a private work payment bond for certain persons; to list the persons protected by a payment bond; to provide a time period for commencing a suit on a performance bond; to provide that any person supplying labor or materials for executing of work on private project construction shall be furnished the contract and bonds within a certain period of time; to authorize a trial judge hearing an action regarding such bonds to award attorney's fees; to amend sections 85-7-431 and 31-5-55, Mississippi Code of 1972, to conform to the preceding section; and for related purposes.

- HB 872** **Manufacturers of motor vehicles; create standards for relations with its franchisees.**
An act to amend section 63-17-73, Mississippi Code of 1972, to prohibit a motor vehicle manufacturer, distributor, wholesaler or any factory, branch or division thereof from coercing a motor vehicle dealer into constructing or substantially altering a facility or premises under certain conditions; to prescribe standards for motor vehicle manufacturers to regulate costs and management of inventory between motor vehicle manufacturers and its franchisees; and for related purposes.
- HB 874** **County sheriffs; revise daily amount that may be expended to feed county prisoners.**
An act to amend section 19-25-73, Mississippi Code of 1972, to increase from \$6.00 to \$15.00 per day per prisoner that county sheriffs may expend upon feeding prisoners housed within county jails whenever such sheriffs purchase food, in the name of the county, for the prisoners; and for related purposes.
- HB 991** **Income tax; authorize counties and municipalities to collect certain debts by setoff against a debtor's income tax refund.**
An act to enact the Local Government Debt Collection Setoff Act. Authorizes counties and municipalities to submit debt over \$50.00 owed to them to the Department of Revenue for collection through a setoff againsts the debtors' Mississippi Income Tax Refund.
- HB1204** **Mississippi Public Records Act; authorize public bodies to continue to contract even though right to protest still available.**
An act to amend section 25-61-5, Mississippi Code of 1972, to revise the Mississippi Public Records act to authorize public bodies to continue to execute a contract if a court has not ruled on a protective order within ninety days of filing; to provide that the contract may still be protested after execution.
- HB1205** **Public agency; prohibit from requesting or releasing certain personal information from an entity organized under Section 501(c) of the Internal Revenue Code.**
An act to provide that a public agency shall not require any entity organized under section 501(c) of the Internal Revenue Code to provide the public agency with personal information; to provide exceptions to this prohibition; to provide injunctive relief for violations of this act; to amend section 25-61-3, Mississippi Code of 1972, to conform to the provisions of this act.
- HB1468** **Economic development districts; revise entities to which they may transfer property within industrial parks.**
Revise the entities to which economic development districts may transfer industrial sites within industrial parks to include the Mississippi Military Department and the Mississippi National Guard.
- HB1477** **Cemeteries; authorize counties and municipalities to expend funds to maintain abandoned nonprofit cemeteries.**
To authorize counties and municipalities, in their discretion, to expend funds for the maintenance and repair of abandoned public and private nonprofit cemeteries.
- HB1540** **Contracts for collection of city/county solid wastes; authorize to extend without advertising for proposals under certain circumstances.**
The board of supervisors and/or municipal governing body may enter into contracts related in any manner to the collection and transportation of solid wastes for a term of up to six (6) years; however, for such contracts executed on or after July 1, 2019, the board of supervisors and/or municipal governing body may have the option to extend the contract by mutual consent of the parties in one-year increments up to four (4) additional years without advertising for proposals, as long as rate adjustments remain consistent with the existing contract and the total term of the contract does not exceed ten (10) years.

- HB1581 Firearms; clarify that courtroom includes a judge's chamber, witness room and jury room.**
Clarifies that courtroom includes a judge's chamber, witness room and jury room, for purposes of concealed carry
- HB1612 Special local improvement assessment districts; authorize municipalities to create.**
An act to authorize municipalities with 150,000 or more to create special local improvement assessment districts; to provide the notice and election procedures for the establishment of such districts; to authorize the levy of an assessment of up to six mills on taxable real property located within such assessment districts; to provide for the duties and powers of such assessment districts; to require the dissolution of such assessment districts under certain circumstances; to specify the use for the proceeds of the special assessment.
- SB2030 Elections; impose residency requirement to run for certain offices.**
An act to provide that any candidate for a municipal, county or county district office shall be a resident of the municipality, county or county district that he or she seeks to represent for two years immediately preceding the election day; the provisions of this section shall not apply to any municipality with less than one thousand (1,000) residents according to the latest federal decennial census. This shall apply to elections held from and after January 1, 2020.
- SB2046 Public Records Act; exempt certain information technology-related information from.**
An act to exempt certain information technology records from the Mississippi Public Records Act of 1983.

Mississippi Certified Municipal Clerk (CMC) Program

For 40 years, the Certified Municipal Clerk (CMC) program for municipal clerks, deputy municipal clerks, and tax collectors has offered these municipal officials an opportunity to achieve both state and national certification in their positions. The curriculum is presented over a 3-year period with two 2½-day sessions each year (in the spring and fall). For convenience and accessibility, each of the two annual sessions is presented in three locations: North Mississippi (Oxford), Central Mississippi (Pearl), and South Mississippi (Hattiesburg). The certification program is designed to allow entry at any of the sessions during the year.

This program is sponsored by the Center for Government and Community Development (GCD) and the Mississippi Municipal Clerks and Collectors Association (MMCCA). It is accredited by the International Institute of Municipal Clerks (IIMC).

Certification through the program is limited to municipal clerks and tax collectors and their official deputies. The IIMC certification requires membership in IIMC for 2 years before receiving the designation. However, any municipal official is welcome (and encouraged) to attend sessions or individual courses on an interest basis.

This program is designed to give more professional expertise and status to municipal clerks, collectors, and/or their deputies in Mississippi. Standards for the achievement of certification have been designed by the Certification Standards Committee of the Mississippi Municipal Clerks and Collectors Association. This committee will review all Certified Municipal Clerk (CMC) and Certified Deputy Municipal Clerk (CDMC) applications and recommend the granting of the CMC or CDMC professional designations.

The Mississippi State University Extension Service developed and conducts the certification program, which is the education portion of the total certification procedure.

Program Details and Designation Benefits

The Certified Municipal Clerk program is designed to enhance the job performance of the clerk in small and large municipalities. To earn the CMC designation, a municipal clerk must attend extensive educational programs. The CMC designation also requires pertinent experience in a municipality. The CMC program prepares applicants to meet the challenges of the complex role of the municipal clerk by providing them with quality education in partnership with institutions of higher learning, as well as state, provincial, and/or national associations. The CMC program has been helping clerks excel since 1970.

For more information, contact the MSU Extension Center for Government and Community Development at (662) 325-3141 or gcd@ext.msstate.edu.



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