



2018
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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2018 Legislation Affecting Municipalities

- HB 235** **Local Privilege Tax law; authorize tax collectors to use electronic signatures and storage in connection with.**
An act to amend sections 27-17-455, 27-17-475 and 27-17-493, Mississippi Code Of 1972, to authorize tax collectors issuing licenses under the local privilege tax law to use an electronic signature and to issue duplicates and store unused blank licenses electronically.
- HB 380** **Municipalities; authorize to enter into an interlocal agreement with rural water association regarding sewer services.**
The governing authorities of a municipality are authorized and empowered, in their discretion, to enter into an interlocal agreement with a rural water association operating within the corporate limits of the municipality that requires the association to terminate the water service of any of its customers who are thirty (30) days or more delinquent in the payment of charges for sewer services provided by the municipality.
- HB 392** **Municipalities; authorize to elect 5 aldermen if the population is 10,000 or more and certain conditions are met.**
If a municipality has a population according to the 2010 federal decennial census that is less than ten thousand (10,000) and whose population according to the 2020 federal decennial census is ten thousand (10,000) or more, the municipality may elect to continue with five (5) aldermen and not increase to seven (7) aldermen by the adoption of a resolution by a majority of the board of aldermen expressing the intent to continue with five (5) aldermen and not increase to seven (7) aldermen. Before the adoption of such resolution, the proposed resolution shall be published for three (3) consecutive weeks in at least one (1) newspaper published in the municipality. If ten percent (10%) of the qualified electors of the municipality or fifteen hundred (1,500) whichever is lesser, shall file a written protest against the resolution on or before the date specified in the resolution, then an election on the question shall be called.
- HB 693** **Ad valorem tax; revise certain provisions regarding the appeal of assessment.**
A political subdivision may appeal an assessment of taxes.
- HB 804** **Voter identifications; provide a procedure for presenting in municipal elections.**
Updates voter ID law to allow a voter in the municipal election, to return to the municipal clerk's office within five (5) business days after the date of the election to present his or her Mississippi Voter Identification Card or Temporary Mississippi Voter Identification Card.

HB1114 Menaced municipal property; provide a determination of may be designated to municipal officials.
Amend section 21-19-11, Mississippi Code Of 1972, which sets forth the law on cleaning property determined to be a menace to public health, safety and welfare; to provide that such property or parcels of land that are less than one acre and are located in municipalities with a population of over 25,000 may be adjudicated as property in need of cleaning using an expedited process.

When the fee or cost to clean property or a parcel of land that is one (1) acre or less does not exceed Two Hundred Fifty Dollars (\$250.00), excluding administrative costs, and the property or parcel is located within a municipality having a population over twenty-five thousand (25,000), the governing authority of the municipality may authorize one or more of its employees to determine whether the property or parcel of land is in such a state of uncleanliness as to be a menace to the public health, safety and welfare of the community and the determination made by the authorized municipal employee shall be set forth and recorded in the minutes of the governing authority. Notice of this determination shall be provided to the property owner.

Amend section 21-15-41, to provide that no person shall serve in an interim or hold-over capacity for longer than 90 days.

Limits any position that is required 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 to be filled by an interim or hold-over capacity to no more than 90 days.

Any registered voter who resides in the municipality may file objections to any matters relating to an alleged violation of this section in the chancery court of the county where the municipality is located. The chancery court is authorized to adjudicate and determine relief as may be proper. The court shall award reasonable attorney's fees and costs to the prevailing party.

HB1122 Agricultural operation activities; prohibit local governments from regulating.
Amends section 17-1-21, Mississippi Code of 1972, to provide that the governing authority of a municipality or county shall not restrict or prohibit any agricultural operation, forestry activity or traditional farm practices being conducted on land.

A governing authority of any municipality or of any county may enact or impose ordinances, regulations, rules or policies that prohibit or restrict agricultural, forestry or traditional farm practices or the erection of any building, structure or improvement upon the land. If such land is under Federal Aviation Administration Part 77 restrictions or if such activity, building, structure or improvement creates an obstruction to navigable airspace they may enact or impose ordinances, regulations, rules or policies that prohibit or restrict use. The law is not intended to be construed to affect the discretion of a county or municipal governing authority to reclassify property from one zone to another as otherwise permitted by law.

- HB1217 Ad valorem taxes; provide certain exemptions for business, residential renewal, and residential renovation districts in municipalities.**
Reduces population threshold from 25,000 to 20,000, whereby a municipality can grant an exemption for up to 7 years for privately owned new structures and new renovations of and improvements to existing structures within a designated business improvement district, urban renewal district or redevelopment district.
- Adds a new section that permits a municipality to grant an ad valorem tax exemption (exc. school taxes) for up to 10 years on improvements to or renovations of municipally designated residential renewal districts within a Central Business District.
- Adds a new section that permits a municipality to grant an ad valorem tax exemption (exc. school taxes) for up to 10 years on improvements to or renovations of municipally designated residential renewal districts within a designated Blighted Area.
- HB1239 Appeals to circuit court from county or municipal judgments; revise process regarding.**
Any person aggrieved by a judgment or decision of the board of supervisors of a county, or the governing authority of a municipality, may appeal the judgment or decision to the circuit court of the county in which the board of supervisors is the governing body or in which the municipality is located. A written notice of appeal to the circuit court must be filed with the circuit clerk within ten (10) days from the date at which session of the board of supervisors or the governing authority of the municipality rendered the judgment or decision. Upon filing, a copy of the notice of appeal must be delivered to the president of the board of supervisors or to the mayor or city clerk of the municipality and, if applicable, to any party who was a petitioner before the board of supervisors or the governing authority of the municipality.
- SB2312 Sales tax on admissions; exempt certain events sponsored by municipalities.**
To exempt from sales taxation any admissions charged at certain events, activities or entertainments held on property controlled by a municipality, or an agency thereof, which are created and sponsored by the municipality or an agency thereof; authorizes municipalities to elect to require the tax to continue to be imposed.
- SB2570 Local entities; prohibit ordinances regulating the use of certain containers.**
Act to prohibit local governments from adopting or enforcing an ordinance that regulates the use, disposition or sale of, or prohibits, restricts or imposes any fee, charge or tax on, certain auxiliary containers. "Auxiliary container" means a bag, cup, bottle or other packaging, whether reusable or single-use that is made of cloth, paper, plastic, cardboard, corrugated material, aluminum, glass, postconsumer recycled material, or similar material or substrates, including coated, laminated or multilayer substrates and is designed for transporting, consuming or protecting merchandise, food or beverages from or at a food service, including manufacturing, distribution or further processing, retail facility.
- SB2588 Alcoholic Beverage Control Law; any municipality may establish leisure and recreation districts if alcohol is legal.**
To authorize any municipality that has voted in favor of coming out from under the dry law or that is in a county that has voted in favor of coming out from under the dry law, and any county that has voted in favor of coming out from under the dry law, to establish leisure and recreation districts under the local option alcoholic beverage control law.

SB2674 Government procurement; authorize local entities to charge a fee for reverse auction and electronic bidding services.

Any governing authority accepting electronic bid submissions for procurements may charge the bidder a fee or may require a fee to be paid to a third-party service provider, for an electronic bid submission. The amount of the fee shall not exceed fifty dollars (\$50.00) per bid.

Any governing authority using the reverse auction method of procurement may charge the winning bidder a fee, or require the winning bidder to pay a fee to a third-party service provider, for participation in a reverse auction. The amount of the fee shall not exceed four percent (4%) of the winning bid amount.

SB2855 State, county, and municipal budget estimates shall not be exceeded; exempt unfunded liability for employee retirement.

The term “budgeted expenditures” for purposes of personal liability of members of the local governing authorities under this section shall not include any unfunded liability for municipal employee retirement or pension funds. Nothing in this section shall diminish any responsibility of the members of the local governing authorities to fund any employee retirement or pension plans, or any liability as a result of any failure to fund such plans as otherwise required by law.

Provided, however, no personal liability of the responsible officers under this section shall include any unfunded liability for employee retirement or pension funds. Nothing in this section shall diminish any responsibility of the responsible officers to fund any employee retirement or pension plans, or any liability as a result of any failure to fund such plans as otherwise required by law.



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