

By: Senator(s) Tollison

To: Education

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2818

1 AN ACT TO AMEND SECTION 1, CHAPTER 572, LAWS OF 2013, AND
2 SECTION 37-7-104.3, MISSISSIPPI CODE OF 1972, RELATING TO THE
3 ESTABLISHMENT OF THE STARKVILLE CONSOLIDATED SCHOOL DISTRICT, TO
4 PRESCRIBE THE POWERS AND RESPONSIBILITIES OF THE CONSERVATOR OF
5 THE OKTIBBEHA COUNTY SCHOOL DISTRICT, TO CLARIFY THE PROCEDURE FOR
6 THE SELECTION OF THE NEW STARKVILLE CONSOLIDATED SCHOOL DISTRICT
7 BOARD OF TRUSTEES, TO AUTHORIZE AND DIRECT THE CONSERVATOR OF THE
8 OKTIBBEHA COUNTY SCHOOL DISTRICT TO ISSUE SHORT-TERM NOTES TO FUND
9 INITIAL REPAIRS AND IMPROVEMENTS TO CERTAIN ELEMENTARY SCHOOLS AND
10 INCREASE CAPACITY FOR THE CONSOLIDATION, TO AUTHORIZE THE
11 CONSERVATOR OF THE OKTIBBEHA COUNTY SCHOOL DISTRICT TO ISSUE
12 SCHOOL BONDS TO UPGRADE CERTAIN COUNTY SCHOOL FACILITIES SUBJECT
13 TO A REVERSE REFERENDUM ON THE BOND ISSUE, TO AUTHORIZE THE BOARD
14 OF TRUSTEES OF THE STARKVILLE CONSOLIDATED SCHOOL DISTRICT TO
15 ISSUE SCHOOL BONDS IN THE NEW DISTRICT ON A REVERSE REFERENDUM
16 BASIS AND TO INCREASE THE DEBT LIMIT CAP ON ASSESSED VALUATION FOR
17 SUCH BONDS, TO DIRECT THE ATTORNEY GENERAL TO REPRESENT THE TWO
18 DISTRICTS IN THEIR RESPECTIVE DESEGREGATION CASES TO OBTAIN
19 APPROVAL FROM THE FEDERAL COURT FOR THE NEW CONSOLIDATED DISTRICT,
20 TO CLARIFY THAT THE COUNTY BOARD OF SUPERVISORS SHALL PROVIDE
21 ADMINISTRATIVE OFFICES FOR THE NEW STARKVILLE CONSOLIDATED SCHOOL
22 DISTRICT; TO AMEND SECTIONS 37-59-7, 37-59-23 AND 37-59-107,
23 MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

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

25 **SECTION 1.** Section 1, Chapter 572, Laws of 2013, is amended
26 as follows:

27 Section 1. (1) In addition to overseeing the operation of
28 the Oktibbeha County School District through June 30, 2015, the



Conservator of the Oktibbeha County School District shall have the authority for the planning and assignment of school grades, programs, services, operations, staffing and alignment of curriculum for the new Starkville Consolidated School District.

(* * *2) There is hereby created and established an advisory council to be known as the Commission on Starkville Consolidated School District Structure. It shall be the responsibility of the Commission on Starkville Consolidated School District Structure to review the current structure of the school districts and schools in Starkville, Mississippi, and in Oktibbeha County, Mississippi, and make recommendations on future actions of the provision and transition of service of the newly consolidated school district in order to improve both the quality of education and the efficiency with which it is delivered. The commission shall not decide the issue of whether or not the districts shall be consolidated. The commission shall be composed of seven (7) members as follows:

(a) The State Superintendent of Education, or his designee, who shall serve as Chairman of the Commission;

(b) Three (3) representatives of the Starkville School District appointed by the Board of Trustees of the Starkville School District and who may be members of the board or the Superintendent of Schools;



52 (c) One (1) resident of the former Oktibbeha County
53 School District to be appointed by the State Superintendent of
54 Education;

55 (d) The Conservator for the Oktibbeha County School
56 District appointed by the State Board of Education; and

57 (e) One (1) representative of Mississippi State
58 University appointed by the President of Mississippi State
59 University.

60 (3) The Commission on Starkville Consolidated School
61 District Structure shall meet within thirty (30) days of passage
62 of this act upon the call of the State Superintendent of Education
63 and shall hold hearings and meet as necessary and develop a report
64 to the Legislature, the Governor and the State Board of Education
65 on or before March 1, 2014, with recommendations to accomplish the
66 following:

67 (a) Review the current structure of school districts
68 and the location of schools in Starkville, Mississippi, and
69 Oktibbeha County, Mississippi, and recommend how they can be
70 consolidated into one (1) school district in order to improve both
71 the quality of education and the efficiency at which it is
72 delivered.

73 (b) Review the capital facility needs of both school
74 districts and recommend methods of financing necessary
75 improvements, including the possibility of pledging Mississippi
76 Adequate Education Program funds for capital improvement purposes.



(c) Detail in the report how best to implement consolidation and make any other recommendations on how to maximize education quality in Starkville and Oktibbeha County while eliminating duplicative and wasteful administrative spending.

(d) The commission shall also be authorized to recommend that portions of the Oktibbeha County School District be merged into districts in adjoining counties.

The commission shall have the authority to raise and to expend nonstate funds. The State Department of Education shall provide staff and such other support as the commission deems appropriate. After submitting its report on or before March 1, 2014, the commission shall be dissolved.

SECTION 2. Section 37-7-104.3, Mississippi Code of 1972, is amended as follows:

37-7-104.3. (1) In Oktibbeha County, Mississippi, in which are located, as of January 1, 2013, two (2) school districts, there shall be an administrative consolidation of all of those school districts in the county into one (1) new countywide municipal separate school district to be designated as Starkville Consolidated School District which shall consist of the territory of the former Oktibbeha County School District and the Starkville School District, effective on July 1, 2015. Until June 30, 2015, preceding the effective date of the required administrative consolidation of school districts in the county, the Oktibbeha



County School District shall remain in conservatorship, under the authority and control of the Mississippi Recovery School District of the State Department of Education. At such time that the administrative consolidation becomes effective, the central administrative office of the Starkville Consolidated School District shall be located in Starkville, Mississippi.

(2) (a) On or before July 1, 2014, the State Board of Education shall serve the local school board of the Starkville School District with notice and instructions regarding the timetable for action to be taken to comply with the administrative consolidation required in this section.

(b) In the new consolidated school district there shall be a countywide municipal separate school district board of trustees, which shall consist of the existing members of the Board of Trustees of the Starkville School District * * *. However, upon the first occurrence of a vacancy on the board as a result of an expired term of an appointed board member, that vacancy shall become an elected position and shall be filled by the election of a board member * * * as follows: the 2016 expiring term board member shall remain in office until January 1, 2017. In November 2016, an election will be held for a board member who resides outside of the incorporated municipal limits in the manner prescribed in Section 37-7-203, and the elected board member will take office for a five-year term beginning January 1, 2017. Subsequent board members shall be selected in the manner



prescribed in Section 37-7-203. The Board of Supervisors of Oktibbeha County shall * * * publish * * * notice of the school board elections in some newspaper of general circulation in the county for at least three (3) consecutive weeks * * *.

(c) Any school district affected by the required administrative consolidation in the county that does not voluntarily consolidate as ordered by the State Board of Education shall be administratively consolidated by the State Board of Education, to be effective immediately upon action of the State Board of Education. The State Board of Education shall promptly move on its own motion to administratively consolidate a school district which does not voluntarily consolidate in order to enable the affected school districts to reasonably accomplish the resulting administrative consolidation into one (1) consolidated school district by July 1 following the motion to consolidate. The affected school districts shall comply with any consolidation order issued by the State Board of Education.

(3) On July 1, 2015, following the motion of State Board of Education to consolidate school districts in Oktibbeha County, the Oktibbeha County School District shall be abolished. All real and personal property which is owned or titled in the name of the school district located in such former school district shall be transferred to the Starkville Consolidated School District as of July 1, 2015. The Conservator of the Oktibbeha County School District is authorized and directed to execute and record all



152 documents and conveyances necessary to convey title to all real
153 and personal property of the Oktibbeha County School District to
154 the Starkville Consolidated School District. The conservator is
155 further authorized and directed to sign all documents and to take
156 all actions necessary to assign contracts and other property,
157 contract rights and obligations of the Oktibbeha County School
158 District to the Starkville Consolidated School District. The
159 Board of Trustees of the Starkville * * * School District shall be
160 responsible for establishing the contracts for operations,
161 teachers, principals, clerical and administrative staff personnel
162 for the 2015-2016 school year * * * prior to July 1, 2015, and
163 shall consult with the conservator for the establishment of
164 contracts for teachers, principals, clerical and administrative
165 staff personnel located in the former Oktibbeha County School
166 District for the 2015-2016 school year. In order to prepare for
167 the efficient staffing of the Starkville Consolidated School
168 District, the Conservator of the Oktibbeha County School District
169 and the Superintendent of the Starkville School District shall
170 have full authority to nonrenew the employment contract of any
171 teacher, principal, clerical or administrative staff located
172 within their respective school districts for the 2015-2016 school
173 year. The superintendent and assistant superintendent(s) of
174 schools of the former Starkville School District shall continue to
175 serve in like administrative capacities of the Starkville
176 Consolidated School District, but in no instance shall the



177 administrative leadership of the Starkville Consolidated School
178 District exceed three (3) assistant superintendents to be
179 appointed by the superintendent of the former Starkville School
180 District. No superintendent serving in the former Oktibbeha
181 County School District * * * shall be eligible for appointment as
182 a superintendent or assistant superintendent in the Starkville
183 Consolidated School District. Likewise, no trustee serving in the
184 former Oktibbeha County School District * * * shall be eligible
185 for election to the new Board of Trustees of the Starkville
186 Consolidated School District. It shall be the responsibility of
187 the board of trustees to prepare and approve the budget of the
188 respective new reorganized district, and the board of trustees may
189 use staff from the former school district to prepare the budget.
190 Any * * * transfer of the assets, real or personal property
191 of * * * the Oktibbeha County School District mandated by this
192 section shall be final and conclusive for the purposes of the
193 transfer of property required by * * * this section to effectuate
194 the administrative consolidation.

195 (4) Nothing in this section shall be construed to require
196 the closing of any school or school facility, unless the facility
197 is an unneeded administrative office located within a school
198 district which has been abolished under the provisions of this
199 section. All administrative consolidations under this section
200 shall be accomplished so as not to delay or in any manner



negatively affect the desegregation of another school district in the county pursuant to court order.

(5) The State Board of Education shall promulgate rules and regulations to facilitate the administrative consolidation of the school districts in Oktibbeha County pursuant to the requirements of this section. Beginning with the insurance cafeteria plan year of November 1, 2014, the consolidated districts shall * * * fall under all insurance plans and policies elected by the Starkville Public School District, including the group term life insurance described in Section 25-15-9(7).

(6) For the initial three (3) years following the administrative consolidation required by this section, the State Department of Education shall grant a waiver of accountability and state assessment requirements to the Starkville Consolidated School District * * *.

* * *

(7) As soon as practicable after passage of this act, the Conservator of the Oktibbeha County School District shall initiate the issuance of notes or certificates of indebtedness of the Oktibbeha County School District for the purpose of purchasing school buses, textbooks, computers and software and other equipment and fixtures for school facilities and making repairs, alterations, utility upgrades and additions to two (2) elementary school buildings located in the Oktibbeha County School District in order to meet the same physical and educational standards as



the elementary school buildings in Starkville, and to contribute
funds to the Starkville School District for capital improvements
to accommodate county school district students and increase
capacity for the consolidation. The contribution of such funds to
the Starkville School District is hereby authorized. Said notes
or certificates of indebtedness shall be issued under the
authority of Sections 37-59-101 through 37-59-115, Mississippi
Code of 1972, including all notice requirements, however, the
resolution as to the necessity for the issuance of the notes and
the execution of the documents shall be made by the Conservator of
the Oktibbeha County School District. The term of any notes or
certificates of indebtedness issued under this section may not
exceed the useful life of the financed project as determined
according to the upper limit of useful life and depreciation
guidelines established under the United States Internal Revenue
Code and regulations. The levying authority for the Oktibbeha
County School District, and after July 1, 2015, the levying
authority for the Starkville Consolidated School District, shall
annually levy a special tax on all taxable property of the former
Oktibbeha County School District in an amount sufficient to pay
the principal of and interest on such negotiable notes or
certificates of indebtedness as the same shall respectively mature
and accrue. Said tax shall be levied as provided in Section
37-59-107, Mississippi Code of 1972, except that the levy shall
not exceed four (4) mills on the dollar for the payment of all



251 notes that are subject to the levy under Section 37-59-107. Any
252 notes or certificates of indebtedness issued pursuant to this
253 subsection (7) shall become indebtedness of the new Starkville
254 Consolidated School District from and after July 1, 2015, and the
255 mandatory special ad valorem tax levied to pay the notes or
256 certificates of indebtedness by the levying authority pursuant to
257 Section 37-59-101, Mississippi Code of 1972, shall be levied upon
258 all of the taxable property within the Starkville Consolidated
259 School District.

260 (8) For a period beginning July 1, 2014, and ending June 30,
261 2015, the Conservator of the Oktibbeha County School District may
262 issue negotiable bonds of the Oktibbeha County School District for
263 the purpose of equipping and making repairs, alterations and
264 additions and utility upgrades and for any purposes allowed by
265 Section 37-59-3, Mississippi Code of 1972, to school facilities in
266 the Oktibbeha County School District and in the Starkville School
267 District to accommodate students in the former Oktibbeha County
268 School District who will be attending school in the new Starkville
269 Consolidated School District and the increased capacity needs
270 under the consolidation. Said bonds shall be issued under the
271 authority of Sections 37-59-1 through 37-59-45, however, the
272 resolution as to the necessity for the issuance of the bonds and
273 execution of the documents may be made by the Conservator of the
274 Oktibbeha County School District. Provided further, that the
275 conservator shall publish notice of the issuance of the bonds once



each week for at least three (3) consecutive weeks in a newspaper
having general circulation in the Oktibbeha County School
District, with the first publication thereof to be made not less
than fifteen (15) days prior to the date upon which the
conservator is to take final action upon the question of
authorizing the issuance of said bonds. If no petition requesting
an election is filed prior to the date on which the conservator is
to take final action on the issuance of the bonds, then the
conservator shall authorize the issuance of the bonds. If at any
time prior to the date on which the conservator takes final action
upon the question of issuing such bonds a petition signed by not
less than twenty percent (20%) of the qualified electors of the
Oktibbeha County School District shall be filed with the
Conservator of the Oktibbeha County School District requesting
that an election be called on the question of issuing the bonds,
then the conservator shall either rescind the resolution of intent
or adopt a resolution calling an election to be held within the
territory of the Oktibbeha County School District upon such
question. The election shall be called and held, and notice
thereof shall be given, in the same manner for elections upon the
question of bond issues under Sections 37-59-13, 37-59-15 and
37-59-17, and the results thereof shall be certified by the
Oktibbeha County Election Commission to the Conservator of the
Oktibbeha County School District. If three-fifths (3/5) of the
qualified electors who voted in such election vote in favor of the



issuance of such bonds, then the conservator shall authorize the
Oktibbeha County School District to issue such bonds.
Notwithstanding any provision to the contrary, the Oktibbeha
County School District may issue bonds pursuant to this subsection
(8) in an amount which, when added to all of the Oktibbeha County
School District's then outstanding bonded indebtedness, shall not
result in the imposition on any of the property in said district
of an indebtedness for school purposes of more than twenty percent
(20%) of the assessed value of the taxable property within said
district, according to the then last completed assessment for
taxation. Any bonds issued pursuant to this subsection (8) shall
become indebtedness of the new Starkville Consolidated School
District from and after July 1, 2015, and the mandatory special ad
valorem tax to be levied by the levying authority pursuant to
Section 37-59-23, Mississippi Code of 1972, to pay the bonds shall
be levied only upon the taxable real property that was within the
former Oktibbeha County School District. The tax for the bonds
may not be imposed on the real property within the former
Starkville School District.

(9) For a period beginning July 1, 2015, and ending July 1,
2024, the Starkville Consolidated School District Board of
Trustees may issue negotiable bonds of the Starkville Consolidated
School District for the purpose of purchasing school buses,
textbooks, computers and software and other equipment and fixtures
for school facilities and for any purposes enumerated in Section



37-59-3, Mississippi Code of 1972. The term of any such bonds may not exceed the useful life of the financed project as determined according to the upper limit of useful life and depreciation guidelines established under the United States Internal Revenue Code and regulations. Said bonds shall be issued under the authority of Sections 37-59-1 through 37-59-45, including all notice and publication requirements, however, the necessity for the issuance of the bonds shall be made pursuant to a reverse referendum procedure to be followed by the Starkville Consolidated School District Board of Trustees as follows: the board of trustees shall publish notice of the issuance of the bonds once each week for at least three (3) consecutive weeks in a newspaper having general circulation in the Starkville Consolidated School District, with the first publication thereof to be made not less than fifteen (15) days prior to the date on which the board of trustees is to take final action authorizing the issuance of the bonds. If no petition requesting an election is filed prior to the date on which the board of trustees is to take final action on the issuance of the bonds, the board of trustees shall authorize the issuance of the bonds. If at any time prior to the date on which the board of trustees is to take final action authorizing the issuance of the bonds a petition signed by not less than twenty percent (20%) of the qualified electors of the Starkville Consolidated School District shall be filed with the Board of Trustees of Starkville Consolidated School District requesting



351 that an election be called on the question of issuing the bonds,
352 then the board of trustees shall, not later than its next regular
353 meeting, adopt a resolution calling an election to be held within
354 the Starkville Consolidated School District upon such question.
355 The election shall be called and held, and notice thereof shall be
356 given, in the same manner for elections upon the question of bond
357 issues under Sections 37-59-13, 37-59-15 and 37-59-17, and the
358 results there shall be certified to the Starkville Consolidated
359 School District Board of Trustees, as the case may be. If
360 three-fifths (3/5) of the qualified electors who voted in such
361 election vote in favor of the issuance of such bonds, then the
362 board of trustees shall issue such bonds. Notwithstanding any
363 provision to the contrary, the Starkville Consolidated School
364 District may issue bonds pursuant to this subsection (9) in an
365 amount which, when added to all of the Starkville Consolidated
366 School District's then outstanding bonded indebtedness, shall not
367 result in the imposition on any of the property in said district
368 of an indebtedness for school purposes of more than twenty percent
369 (20%) of the assessed value of the taxable property within said
370 district, according to the then last completed assessment for
371 taxation. Any bonds issued pursuant to this subsection (9) shall
372 be indebtedness of the new Starkville Consolidated School
373 District. The mandatory special ad valorem tax to be levied by
374 the levying authority pursuant to Section 37-59-23, Mississippi



Code of 1972, shall be levied on all taxable property of the Starkville Consolidated School District.

(10) From and after July 1, 2015, all outstanding debt of the former Oktibbeha County School District and the former Starkville School District shall be assumed by and become the debt of the Starkville Consolidated School District. Any debt assumed by the Starkville Consolidated School District secured by a special ad valorem tax shall be secured by and payable from a special ad valorem tax levied on all taxable property in the Starkville Consolidated School District by its levying authority. All debt secured by a pledge by either district of its education enhancement funds pursuant to Section 37-61-33, Mississippi Code of 1972, or by a pledge of its Mississippi Adequate Education Program funds will continue to be secured by and payable from the same funds after the debt is assumed by the Starkville Consolidated School District as of July 1, 2015. It is the intent of the Legislature that any such pledges will remain in effect and that the pledged funds will be available to the Starkville Consolidated School District to pay its debt to which the funds are pledged.

(11) Any appropriation by the Legislature to fund legal fees for private counsel and/or the Office of the Attorney General to assist the two (2) applicable school districts with desegregation cases will be expended by the Conservator of the Oktibbeha County



School District and the Superintendent of the Starkville School District for such purposes.

(12) It shall be the responsibility of the Board of Supervisors of Oktibbeha County to provide office, furnishing and utilities for the administrative Office of the Superintendent of the Starkville Consolidated School District.

(13) The new Starkville Consolidated School District is authorized and encouraged to develop a partnership with Mississippi State University to create a model rural education school to serve all sixth- and seventh-grade students from Oktibbeha County and a model prekindergarten program which shall also serve as a model for the education of teachers and administrators.

(14) The Board of Supervisors of Oktibbeha County shall be the "levying authority" for the Starkville Consolidated School District.

SECTION 3. Section 37-59-7, Mississippi Code of 1972, is amended as follows:

37-59-7. (1) (a) Any school district in which the total number of pupils enrolled at any one time during the school year shall have increased by at least twenty percent (20%) or an average of three hundred fifty (350) or more annually within the preceding five (5) years, shall not issue bonds for the purposes authorized by law in an amount which when added to all of its then outstanding bonded indebtedness, shall result in the imposition on



any of the property in such district of an indebtedness for school purposes of more than twenty-five percent (25%) of the assessed value of the taxable property within such district according to the then last completed assessment for taxation.

(b) Any school district in which the total number of pupils enrolled at any one time during the school year shall have increased by at least ten percent (10%) within the preceding five (5) years shall not issue bonds for the purposes authorized by law in an amount which, when added to all of its then outstanding bonded indebtedness, shall result in the imposition on any of the property in such district of an indebtedness for school purposes of more than twenty percent (20%) of the assessed value of the taxable property within such district according to the then last completed assessment for taxation.

(c) The pupil increase mentioned in this subsection shall apply only to growth in pupil enrollment and shall not apply to pupil increases brought about by consolidation of school districts.

(2) Any school district may hereafter issue bonds in an amount exceeding the limit of Section 37-59-5 for the purpose of constructing, reconstructing, repairing, equipping, remodeling or enlarging school buildings and related facilities, as described in subsection (a) of Section 37-59-3, but no such district shall issue bonds in an amount which when added to all of its then outstanding bonded indebtedness, shall result in the imposition on



any of the property in such district of an indebtedness for such school purposes of more than twenty percent (20%) of the assessed value of the taxable property in such district, according to the then last completed assessment for taxation, regardless of whether any of such indebtedness shall have been incurred by such district or by another school district or districts:

(a) In the event of the damage to or destruction of any school building or school buildings, or related facilities of any such district by fire, windstorm, flood or other providential and unforeseeable cause; or

(b) In the event such school district has lost its accreditation and the constructing, reconstructing, repairing, equipping, remodeling or enlarging of such school buildings and related facilities is necessary for the restoration of such accreditation * * *; or

(c) In the event of the establishment of the Starkville Consolidated School District as authorized in Section 37-7-104.3(8) and (9).

(3) In any school district wherein more than nine percent (9%) of the total land area of the school district is owned by the federal government and situated in a flood control reservoir or maintained as a part of the national forest system, the said school district may issue bonds in an amount, which when added to all of its then outstanding bonded indebtedness for school purposes, shall result in the imposition on any of the property in



such school district of an indebtedness for school purposes of not more than twenty percent (20%) of the assessed value of the taxable property within such district, according to the then last completed assessment for taxation, regardless of whether any of such indebtedness shall have been incurred by such district or by another school district or districts. If bonds in an amount in excess of fifteen percent (15%) of the total assessed value of the property of a school district are issued under the provisions of this subsection, not less than twenty-five percent (25%) of the total funds received by the school district under the provisions of Section 49-19-23, Mississippi Code of 1972, shall be paid into the bond and interest sinking fund of such district and used for the retirement of the bonds so issued.

(4) In any district where the assessed valuation per pupil is less than seventy-five percent (75%) of the average of all school districts, such school district may issue bonds for the purposes authorized by Section 37-59-3 in an amount exceeding the fifteen percent (15%) debt limitation set forth in Section 37-59-5, but not exceeding an amount which, when added to all of the school district's then outstanding bonded indebtedness, shall result in the imposition on any of the property in such district of an indebtedness for such school purposes of more than twenty-five percent (25%) of the assessed value of the taxable property in such district, according to the then last completed assessment for taxation if:



499 (a) The board of trustees or board of education of the
500 school district adopts a resolution finding that issuing bonds in
501 an amount exceeding the limitation stated in Section 37-59-5 is
502 necessary to provide or maintain adequate educational facilities
503 within the school district; and

504 (b) The notice of the bond election required by Section
505 37-59-13 contains a provision notifying the qualified electors in
506 the school district:

507 (i) Of the fact that the proposed bonds, if
508 issued, will exceed the fifteen percent (15%) debt limit contained
509 in Section 37-59-5; and

510 (ii) Of the reasons why the school district is
511 proposing to exceed said limitation;

512 (c) The election is held and the proposed bond issue
513 receives the requisite voter approval as set forth in Section
514 37-59-17.

515 **SECTION 4.** Section 37-59-23, Mississippi Code of 1972, is
516 amended as follows:

517 37-59-23. The levying authority, as defined in Section
518 37-57-1(1)(b), acting for and on behalf of any school district,
519 shall annually levy a special tax upon all of the taxable property
520 within such school district, except as provided in Section
521 37-7-104.3(8) and (9), which shall be sufficient to provide for
522 the payment of the principal of and the interest on school bonds
523 issued under the provisions of this article according to the terms



thereof, including any school bonds issued pursuant to Section 37-7-104.3(8) and (9).

In the case of school bonds issued under the provisions of Section 37-59-21, it shall be the duty of the board of supervisors of the county having the greater assessed valuation of taxable property within such district to annually levy upon all of the taxable property within such district, without regard to county lines, a special tax, which shall be sufficient to provide for the payment of the principal of and interest on such bonds according to the terms thereof. Such board shall annually certify to the board of supervisors of the other county or counties in which a portion of the district is situated the rate of taxation so fixed, and it shall be the duty of such other board or boards to cause such rate of taxation to be levied upon all of the taxable property within the boundaries of such district situated within their respective counties. Said taxes shall be collected and deposited as other taxes are collected and deposited in such county or counties, and the tax collector thereof shall thereupon cause such taxes to be remitted to the county depository of the county for which the bonds were issued.

SECTION 5. Section 37-59-107, Mississippi Code of 1972, is amended as follows:

37-59-107. The levying authority for the school district shall annually levy a special tax on all of the taxable property of the school district on whose behalf the notes or certificates



of indebtedness are issued, except as provided in Section 37-7-104.3(7), in an amount which shall be sufficient to pay the principal of and interest upon such negotiable notes or certificates of indebtedness as the same shall respectively mature and accrue, including any notes issued under the direction of a conservator of a school district pursuant to the authority of Section 37-7-104.3(7). Said tax shall be levied and collected at the same time and in the same manner as other taxes are collected and said tax shall be in addition to all other taxes authorized by law. It is expressly provided, however, that, except as provided in Section 37-7-104.3(7), such annual tax levy shall not exceed three (3) mills on the dollar for the payment of all notes issued under the provisions of this article and all notes previously issued under the statutes hereby repealed. The special tax so levied shall be collected by the tax collector of the county at the same time and in the same manner as other taxes are collected, and the proceeds thereof shall be paid to the school district and shall be used exclusively for the payment of principal of and interest upon such negotiable notes or certificates of indebtedness.

SECTION 6. This act shall take effect and be in force from and after July 1, 2014, and shall stand repealed from and after June 30, 2014.

