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Chapter No. 953
11/HR40/R1785SG
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HOUSE BILL NO. 1552

Originated in House Don Richardson Clerk

HOUSE BILL NO. 1552

AN ACT TO CREATE THE COLUMBUS-LOWNDES CONVENTION AND VISITORS BUREAU; TO PROVIDE THE COMPOSITION AND POWERS OF THE BUREAU; TO AUTHORIZE THE BUREAU TO CONTRIBUTE FUNDS TO THE COLUMBUS-LOWNDES DEVELOPMENT LINK; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) There is hereby created the Columbus-Lowndes Convention and Visitors Bureau, hereinafter referred to as the "bureau." The bureau shall be composed of nine (9) members who shall be known as directors.

(2) The composition of the bureau and appointments shall be as follows:

(a) The following members shall be appointed by the Mayor and City Council of the City of Columbus:

(i) One (1) restaurant member who shall serve an initial term of one (1) year. This member and his or her successors shall be selected from names submitted by any owner or employee of a restaurant.

(ii) One (1) member who shall serve an initial term of two (2) years and who shall be an owner of a home on the Columbus Historic Tour of Homes during Columbus' Annual Pilgrimage. This member and his or her successors shall be appointed by the city council after being selected from names submitted by applicants.

(iii) Two (2) at-large members appointed for an initial term of three (3) years.

(b) The following members shall be appointed by the Lowndes County Board of Supervisors:

(i) One (1) hotel/motel member or person in the commercial lodging industry who shall serve an initial term of one (1) year. This member and his or her successors shall be appointed by the board after being selected from names submitted by any owner or employee of a hotel or motel or person in the commercial lodging industry located in the county.

(ii) One (1) member of the business or industrial community who shall serve an initial term of two (2) years. This member and his or her successors shall be appointed by the board after being selected from names submitted by any owner or employee of a business or industry operating in Lowndes County, Mississippi.

(iii) Two (2) at-large members who shall serve an initial term of three (3) years.

(c) The Mayor of the City of Columbus and the President of the Lowndes County Board of Supervisors shall appoint one (1) member who shall be an at-large member and who shall serve for a term of four (4) years.

(d) Except for the member appointed by the Mayor of the City of Columbus and the President of the Lowndes County Board of Supervisors in paragraph (c) of this subsection, all succeeding appointments shall be made for a term of three (3) years from the date of expiration of the initial appointment.

(e) All succeeding appointments of the member appointed in paragraph (c) of this subsection shall be made for a term of four (4) years from the date of expiration of the initial appointment.

(f) Any vacancy which may occur shall be filled in the same manner as the original appointment and shall be made for the unexpired term. Each member of the bureau shall serve until a successor is appointed.

(3) Any member may be disqualified and removed from office for any one (1) of the following reasons:

(a) Conviction of a felony;

(b) Failure to attend three (3) consecutive meetings without just cause; or

(c) Removal at any time of the appointee made by the city council and the county board of supervisors with or without cause.

If a member of the bureau is removed for one (1) of the above reasons in this subsection (3), the vacancy shall be filled in the manner prescribed in this section.

(4) Before entering in the duties of office, each director shall enter into and give bond to be approved by the Secretary of State in the sum of Ten Thousand Dollars (\$10,000.00), conditioned on the satisfactory performance of his or her duties. This bond premium shall be paid from the bureau's funds. Such bond shall be payable to the city and county and in the event of a breach thereof, suit may be brought by the city and/or county for the benefit of the bureau.

(5) When the directors of the bureau have been appointed and qualified, they shall meet in the City of Columbus after giving not less than five (5) days' notice of the time and place of such meeting, by regular mail, e-mail or other electronic form, directed to each member of the bureau at his regular address at the time of his qualification and posting bond. Such notice shall be given by the Executive Director of the Columbus-Lowndes Convention and Visitors Bureau. The notice of the meeting may be waived if directors sign a written waiver of such notice. Any such waiver shall be attached to the minutes of such meeting.

(6) The directors shall elect from among themselves a chairman. The chairman of the council shall serve a term of not more than one (1) year, with the first election to be held at the first scheduled meeting after the members are appointed and subsequent elections shall be held annually thereafter. The person elected as chairman may serve consecutive terms. The

bureau shall elect from its members a vice chairman, secretary and treasurer. The offices of secretary and treasurer may be combined, if the bureau so decides. The bureau shall promulgate and adopt bylaws governing its operations and procedures. Five (5) directors shall constitute a quorum for the transaction of any business of the bureau.

SECTION 2. (1) The bureau shall be domiciled in the City of Columbus, Mississippi, and shall have the following powers:

(a) To exercise authority over matters related to establishing, promoting and developing tourism, conventions, special events and recreation within the City of Columbus and Lowndes County;

(b) To acquire, own, lease, furnish, equip, staff and operate any and all facilities and equipment necessary or useful in the promotion of tourism, conventions, special events and recreation within the city and county;

(c) To receive and expend revenues from any sources;

(d) To own, lease or contract for any equipment or office space useful and necessary in the promotion of tourism, conventions, special events and recreation;

(e) To sell, convey or otherwise dispose of all or any part of its property and assets in accordance with the general laws of the State of Mississippi providing for such disposal;

(f) To contribute funds for the operation of any visitor information center in the designated area for the repair, restoration, and maintenance of buildings and grounds owned by governmental entities and nonprofit corporations which would tend to promote tourism, conventions and special events in the city and county; and

(g) To have and to exercise all powers necessary or convenient to effect any and all of the purposes for which the bureau is organized and created.

(2) Upon certification from the Columbus-Lowndes Development Link of the amount that it has committed to expend on promotion of tourism, parks and recreation, and associated overhead, within the city and the county in a fiscal year, the bureau may contribute funds to the Columbus-Lowndes Development Link an amount not to exceed the amount so certified; however, the annual amount contributed under this subsection shall not exceed fifteen percent (15%) of the proceeds of the tax levied under Chapter 870, Local and Private Laws of 1986, as amended, that are distributed to the bureau in a fiscal year.

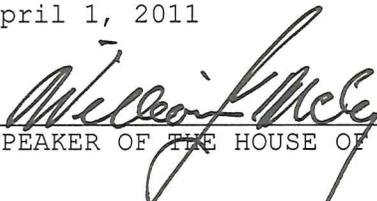
SECTION 3. (1) The bureau shall annually adopt a budget of receipts and expenditures. The first budget of receipts and expenditures shall be prepared and adopted by the bureau within thirty (30) days after the election of its first chairman and such budget shall constitute the budget for the remainder of the current fiscal year. Thereafter, the budget shall be on the same fiscal year basis as that of the city or the county.

(2) The bureau may borrow money to pay its operating obligations that cannot be paid at maturity out of current revenues from the revenues that it receives through the restaurant/tourism tax or other revenues, but the amount so borrowed shall in no case exceed the estimated income of the bureau as shown by the budget adopted prior to that time, and the income of the bureau, as shown by the budget, shall be dedicated and set aside to the payment of the indebtedness.

(3) The books of the bureau shall be audited annually by an independent certified public accountant who shall make a written report of his or her audit to the bureau and submit a copy of the report to the governing authorities and the State Department of Audit. The audit shall be made and completed as soon as practicable after the close of the fiscal year and copies of the report delivered as required by this section within fifteen (15) days after the receipt thereof by the bureau.

SECTION 4. This act shall take effect and be in force from and after its passage.

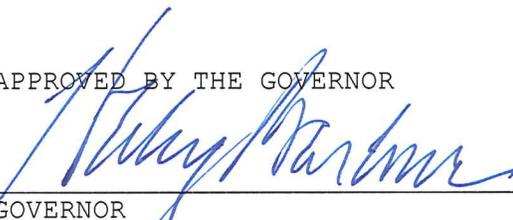
PASSED BY THE HOUSE OF REPRESENTATIVES
April 1, 2011


SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
April 4, 2011


PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR


GOVERNOR

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