

3/17/14

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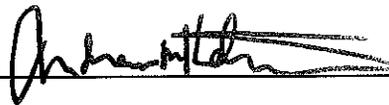
Chapter No. 3.3

14/HR40/R1165PH

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HOUSE BILL NO. 1241

Originated in House



Clerk

HOUSE BILL NO. 1241

AN ACT TO AMEND SECTION 69-5-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI FAIR COMMISSION TO ACCEPT MONEY OR FUNDS DONATED TO THE COMMISSION, INCLUDING FUNDS TO BE AWARDED AS PRIZES IN LIVESTOCK COMPETITION; TO GIVE THE COMMISSION CONTROL OVER THE STATE FAIRGROUNDS AND ALL BUILDINGS AND IMPROVEMENTS THEREON; TO AUTHORIZE THE COMMISSION TO PLAN AND ANNUALLY HOLD THE MISSISSIPPI STATE FAIR AND OTHER EVENTS APPROVED BY THE COMMISSION ON THE STATE FAIRGROUNDS; TO PROVIDE THAT THE COMMISSION MAY PERMIT THE COMMERCIAL OR CHARITABLE ADVERTISEMENT ON CERTAIN BUILDINGS, IMPROVEMENTS AND OBJECTS LOCATED ON THE STATE FAIRGROUNDS; TO PROVIDE FOR THE USE OF FUNDS COLLECTED FROM ADVERTISING PROCEEDS; TO AUTHORIZE THE CHAIRMAN OF THE COMMISSION TO ESTABLISH A PRIVATE FOUNDATION OR NONPROFIT CORPORATION TO RECEIVE AND DISBURSE FUNDS GENERATED FROM ADVERTISEMENT AND NAMING RIGHTS ON CERTAIN BUILDINGS, IMPROVEMENTS AND OBJECTS LOCATED THEREON; TO PROVIDE AUTHORITY TO THE COMMISSION TO ENTER INTO LEASE AGREEMENTS WITH THIRD PARTIES FOR RIGHT-OF-WAY PRIVILEGES TO LANDS OR BUILDINGS THEREON; TO AUTHORIZE THE COMMISSION TO ADOPT SUCH RULES AND REGULATIONS AS MAY BE NECESSARY TO CARRY OUT THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 69-5-3, Mississippi Code of 1972, is amended as follows:

69-5-3. (1) The Mississippi Fair Commission shall set up rules and regulations consistent with the law governing the

distribution of state monies for premiums or awards. It will be the duty of the commission to meet at the call of the chairman, at least twice each year, to approve premium lists or awards, and give out rules governing participants in state premium money in Mississippi. The commission may invite the presidents of the various district livestock shows before the commission when determining policies affecting district livestock shows.

(2) The Mississippi Fair Commission is hereby authorized to accept money or funds donated to * * * the commission, including funds to be awarded as prizes * * * in livestock competition.

(3) The Mississippi Fair Commission shall have charge of * * * the State Fairgrounds located in Jackson, Mississippi, including all buildings and improvements thereon, and shall have full power and authority in perfecting plans and causing to be held * * * thereon the Mississippi State Fair and other such events * * * that may be authorized by the commission.

(4) The Mississippi Fair Commission is hereby authorized to employ an attorney as prescribed in Section 69-1-14.

(5) The Mississippi Fair Commission may take any action authorized in Section 1 of Laws 2000, Chapter 306.

(6) The Mississippi Fair Commission may allow a commercial, charitable or governmental entity to use, publish and advertise such entity's name in connection with any of the buildings, improvements or objects located on the State Fairgrounds in Jackson, except for the Kirk Fordice Equine Center, or in

connection with any of the events conducted on the State Fairgrounds in return for a monetary consideration paid to the commission. Those funds received from an entity for allowing its name to be used, published or advertised in connection with the buildings, improvements, objects or events shall be retained by the commission to be used for capital improvements to the fairgrounds * * * or in its annual operating budget. The commission shall not enter into any such agreement with any vendor whose products are illegal for participation in or use by persons eighteen (18) years of age and under.

(7) The chairman of the commission is authorized to form and establish a private foundation or nonprofit corporation to receive and disburse the funds generated by the sale of naming rights described in subsection (6) of this section and for any other donations made to the commission. The funds shall be disbursed in accordance with guidelines described in this section, and the foundation or nonprofit corporation shall be subject to the reporting requirements described in subsection (10) of this section. All funds shall remain with the foundation until disbursement and shall not be transferred to the State General Fund. No public funds shall be deposited into the account of the private foundation or nonprofit corporation established by the commission for the benefit of the State Fairgrounds, nor shall the Legislature appropriate any State General Fund or Special Fund monies to the foundation or nonprofit corporation for such

purposes. All monies received by the foundation shall be maintained separately from funds allocated to the commission for operating and administrative costs associated with the State Fairgrounds. In addition to the reporting of information to be included in the annual legislative report of the commission, the private foundation or nonprofit corporation shall be subject to annual financial audits by the State Auditor and by auditors of donors in the same manner as required for state agencies.

(8) The commission shall have the authority to enter into a lease or right-of-way with a third party covering any land or buildings on the State Fairgrounds and any funds generated from such lease or right-of-way shall remain in a special fund managed by the commission. All monies in the special fund may be used for capital improvements to the State Fairgrounds or in the commission's annual operating budget. Any unexpended funds remaining in the special fund shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited in the fund.

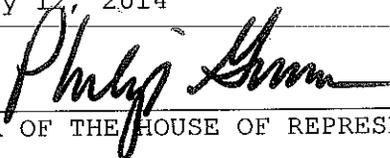
(9) The Mississippi Fair Commission is hereby authorized to adopt such rules and regulations as may be necessary or desirable to carry out, execute or implement the provisions of this article.

(* * *10) The Mississippi Fair Commission shall report by January 1 of each year a detailed financial statement of all monies received and expended under subsection (6) and subsection (7) of this section to the Lieutenant Governor, the Speaker of the

House of Representatives and the Chairman of the Senate
Agriculture Committee and the Chairman of the House of
Representatives Agriculture Committee.

SECTION 2. This act shall take effect and be in force from
and after July 1, 2014.

PASSED BY THE HOUSE OF REPRESENTATIVES
February 12, 2014


SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 5, 2014


PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR


GOVERNOR
3/17/2014 11:33am