

3/11/11 3:24pm

Chapter No. 372

11/HR12/R1423PH

CT 1 & 6

## ***HOUSE BILL NO. 1126***

Originated in House Don Richardson Clerk

HOUSE BILL NO. 1126

AN ACT TO AUTHORIZE LOCAL SCHOOL BOARDS TO PURCHASE EASEMENTS FOR ACCESS TO SIXTEENTH SECTION LANDS OR LIEU LANDS; TO PROHIBIT THE USE OF EMINENT DOMAIN BY ANY LOCAL SCHOOL BOARD OR LOCAL GOVERNING AUTHORITY TO ACQUIRE EASEMENT ACCESS TO SIXTEENTH SECTION LANDS OR LIEU LANDS; AND FOR RELATED PURPOSES.

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

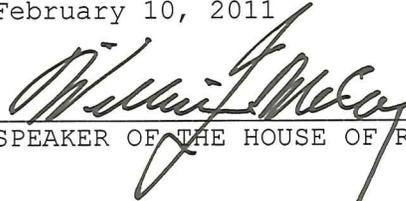
**SECTION 1.** (1) The school board of a school district may acquire, in the name of the district, by purchase, all easements that are necessary and desirable for access to sixteenth section lands or lieu lands. Whenever the purchase price for property on which an easement is to be located is greater than Fifty Thousand Dollars (\$50,000.00), the school board may not purchase the property for an amount exceeding the fair market value of the property, as determined by the average of at least two (2) independent appraisals by certified general appraisers licensed by the State of Mississippi.

(2) In no event shall eminent domain be used against any private land owner by any local school board or local governing authority to acquire easement access to sixteenth section lands or lieu lands. If a landowner objects or refuses to sell an easement right in his or her property to the local school board, the board shall seek another means to gain access to those lands that does not interfere with the landowner's quiet use and enjoyment of his or her property.

**SECTION 2.** Section 1 of this act shall be codified as a new section in Chapter 3, Title 29, Mississippi Code of 1972.

**SECTION 3.** This act shall take effect and be in force from  
and after July 1, 2011.

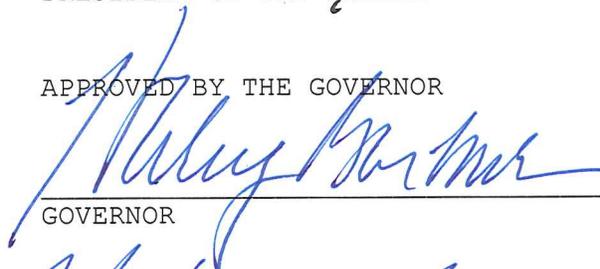
PASSED BY THE HOUSE OF REPRESENTATIVES  
February 10, 2011

  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE  
March 2, 2011

  
PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

  
GOVERNOR  
 