4/19 3:06p

Chapter No. 435
12/SS01/R591
JN /TB|EC

SENATE BILL NO. 2349

Originated in Senate Liz Welch Secretary

SENATE BILL NO. 2349

AN ACT TO AMEND SECTION 65-7-91, MISSISSIPPI CODE OF 1972, TO INCREASE THE ACRES OF LAND THAT BOARDS OF SUPERVISORS MAY PURCHASE OR LEASE TO ESTABLISH HIGHWAY WORKSTATIONS; TO LIMIT THE RIGHT OF EMINENT DOMAIN TO NO MORE THAN TWO ACRES WHEN USED TO OBTAIN LAND FOR HIGHWAY WORKSTATIONS; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 65-7-91, Mississippi Code of 1972, is amended as follows:

[With regard to any county which is exempt from the provisions of Section 19-2-3, this section shall read as follows:]

65-7-91. The board of supervisors may purchase or lease land upon which to establish stations for the working of the public roads, and may erect on the land barns, sheds, and other necessary buildings for the working of the public roads; but the board shall not purchase over ten (10) acres of land for any one (1) station. If the * * * board is unable to purchase or lease, upon terms satisfactory to it, a site selected by it for a station, or in case it is unable to agree with any landowner as to the amount of compensation he * * * shall receive for any land so selected, then the board may proceed to obtain not more than two (2) acres of said site by eminent domain, and the right of eminent domain for no more than two (2) acres is hereby conferred upon the boards of supervisors for said purposes.

[With regard to any county which is required to operate on a countywide system of road administration as described in Section 19-2-3, this section shall read as follows:]

65-7-91. (1) The board of supervisors may, for the benefit of the county, purchase or lease real property upon which to

establish facilities for the working of the public roads, and may erect on the real property barns, sheds, and other necessary buildings * * * for the working of the public roads. However, only real property belonging to or under the control of the state or some other governmental entity may be leased at no more than fair market value by the county for such purposes and any such lease shall be for a term of not less than twenty-five (25) years.

(2) On or before October 1, 1990, the board shall establish and maintain one (1) central road repair and maintenance facility for the county or may designate an existing facility as the central road repair and maintenance facility for the county. Additional road repair and maintenance facilities may be established if the board * * *, by resolution duly adopted and entered on its minutes, determines the establishment of these facilities is essential for the effective and efficient management of the county road and bridge programs.

(3) From and after October 1, 1990, no road repair and maintenance facilities shall be located on any land not owned by the county or leased by the county in accordance with this section unless these facilities are located on sixteenth section school lands or lands granted in lieu thereof.

(4) If the board is not able to purchase, upon terms satisfactory to it, a site selected by it for a facility, or in case the board is unable to agree with any landowner as to the amount of compensation he is to receive for any real property so selected, then the board may proceed to obtain not more than two (2) acres of the property by eminent domain, and the right of eminent domain for no more than two (2) acres is hereby conferred upon the boards of supervisors for such purposes.

SECTION 2. This act shall take effect and be in force from and after July 1, 2012.

PASSED BY THE SENATE
March 7, 2012

Tate Reeves

PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
April 10, 2012

Philip Gunn

SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR

Phil Bryant

GOVERNOR

3:06 pm