

3/14 2:43p

Chapter No. 341
13/HR12/R974
EW 128

HOUSE BILL NO. 279

Originated in House  Clerk

HOUSE BILL NO. 279

AN ACT TO AMEND SECTION 61-9-3, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE VENUE FOR THE TRIALS FOR OFFENSES COMMITTED ON CERTAIN AIRPORT AUTHORITY PROPERTY; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 61-9-3, Mississippi Code of 1972, is amended as follows:

61-9-3. Any ordinance to incorporate properties constituting an airport or air navigational facility into the corporate boundaries of a municipality shall include the following provisions and shall be effective as follows:

(1) * * * The ordinance shall accurately describe the metes and bounds of the property of the airport or air navigational facility to be incorporated; only such portions of property constituting the airport or air navigational facility as shall be owned by the municipality and properties in which easements have been acquired by it for streets, public utilities and public roads and used in connection therewith shall be subject to such incorporation.

(2) * * * The ordinance shall provide that it shall not become operative until publication thereof shall have been made once each week for three (3) consecutive weeks in a newspaper, or newspapers, published or having a general circulation in the county or counties where both the municipality and such airport or air navigational facility shall be located.

(3) Subject only to the provisions hereof, and irrespective of the geographic location of the airport or air navigational facility in a county or judicial district other than the county or judicial district within which the principal office of the municipality is located, any such ordinance shall become effective upon the effective date fixed therein. On and after such effective date and on or after March 10, 1976, all laws, municipal ordinances, and local options effective in the municipality as a result of municipal, judicial district and county options exercised in the municipality, judicial district or the county within which the principal office of the municipality is located, and all other laws, orders, codes and resolutions of and applicable to the municipality availing or having availed itself of the provisions hereof as well as those of the board of supervisors of the county in which the principal office of the municipality is located, shall be applicable to such airport or air navigational facility; provided, however, that no permit for the sale of any alcoholic beverage as defined in Section 67-1-5, * * * except an on-premises retailer's permit as

authorized by Section 67-1-51(c), shall be issued for use at such airport or air navigational facility. Venue for the trial of all offenses against such laws and ordinances shall be in the county in which the * * * airport or air navigational facility is located.

(4) Nothing in this section shall be construed to restrict the county wherein the airport or air navigational facility is geographically located from levying and collecting state, county and school district ad valorem taxes on taxable properties situated thereat; and nothing in this section shall operate to impair or restrict the detachment of territory from a municipal separate school district and the annexation thereof to a county school district under Section 37-7-609 * * * whether occurring prior to or subsequent to March 10, 1976.

(5) Provided, however, that this chapter shall apply only to municipalities having a population of one hundred thousand (100,000) or more.

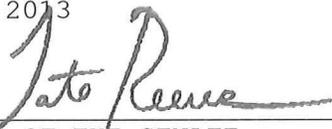
SECTION 2. This act shall take effect and be in force from and after July 1, 2013.

PASSED BY THE HOUSE OF REPRESENTATIVES
January 31, 2013



SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 7, 2013



PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR



GOVERNOR

2:43pm
3/14/13