

By: Representative Simpson

To: Education

HOUSE BILL NO. 1218  
(As Sent to Governor)

1 AN ACT TO AUTHORIZE LOCAL SCHOOL BOARDS TO GRANT  
2 RIGHTS-OF-WAY TO COUNTIES AND CITIES ACROSS SIXTEENTH SECTION AND  
3 LIEU LANDS IN EXCHANGE FOR THE CONSTRUCTION OF PUBLIC ROADS ON  
4 SUCH LANDS; AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 29-3-91, Mississippi Code of 1972, is  
7 amended as follows:

8 29-3-91. (1) Except as otherwise provided in subsection (2)  
9 of this section, whenever the United States or any agency thereof,  
10 or the state or any agency or subdivision thereof, or any private  
11 organization, corporation, association, or person acquires, by  
12 condemnation or otherwise, any easement or right-of-way across any  
13 sixteenth section land or lieu land, then adequate compensation  
14 therefor shall be paid by the party acquiring the same to the  
15 board of education concerned; and the sum or sums so received  
16 shall be placed in the principal fund or funds of the school  
17 district or districts concerned.

18 (2) If the local board of education, by resolution duly  
19 adopted and spread upon its minutes, determines that a new road is  
20 necessary to provide access to and on sixteenth section land or  
21 lieu land, that the new road will enhance the value of the  
22 sixteenth section land or lieu land, and requests that a county or  
23 city construct and maintain the road, then, upon agreement by the  
24 county or city to bear all costs of construction and maintenance,  
25 the local board of education may provide a right-of-way for the  
26 new road without compensation from the county or city if the  
27 initial cost of constructing the new road exceeds the value of the

28 right-of-way. The local board of education shall have sole  
29 discretion in determining the location of any new road constructed  
30 under the authority of this subsection. This subsection shall not  
31 apply to state road projects or to any change or improvement to or  
32 relocation of existing roads under the jurisdiction of a county or  
33 city.

34 SECTION 2. This act shall take effect and be in force from  
35 and after its passage.