

By: Representative Ellington

To: Conservation and
Water Resources

HOUSE BILL NO. 1256

1 AN ACT TO AMEND SECTION 49-27-9, MISSISSIPPI CODE OF 1972, TO
2 PROHIBIT THE COMMISSION ON MARINE RESOURCES FROM ISSUING A PERMIT
3 TO DEVELOP PROPERTY ON PROTECTED WETLANDS, WITHOUT WRITTEN
4 APPROVAL OF THE PROPOSED SEPTIC SYSTEM PLANS AND/OR SEWERAGE
5 CONNECTIONS FROM THE DEPARTMENT OF HEALTH; AND FOR RELATED
6 PURPOSES.

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

8 SECTION 1. Section 49-27-9, Mississippi Code of 1972, is
9 amended as follows:

10 49-27-9. No regulated activity shall affect any coastal
11 wetlands without a permit unless excluded in Section 49-27-7. Any
12 person proposing to conduct or cause to be conducted a regulated
13 activity shall file an application for a permit with the
14 commission in such form and with such information as the
15 commission may prescribe. An application fee in an amount of
16 Fifty Dollars (\$50.00) for residential type regulated activity and
17 Five Hundred Dollars (\$500.00) for commercial and industrial type
18 related activity shall accompany each application and shall be
19 payable to the commission. No permit shall be required for a
20 regulated activity as defined in Section 49-27-5(c)(v) if such
21 activity is an activity by a water dependent industry, nor shall a
22 permit be required pursuant to Section 49-27-5(c)(v) of any
23 individual who seeks to construct a home, fishing camp or similar
24 structure on his own property. No permit to build or develop
25 property for commercial or residential use on wetlands protected
26 by this chapter shall be issued by the commission without written
27 approval from the Department of Health affirming that the proposed
28 septic system plans and/or sewerage connections to be placed on

29 the property are adequate to protect the wetlands.

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