

By: Dearing

To: Judiciary

SENATE BILL NO. 2349  
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 11-27-89, MISSISSIPPI CODE OF 1972,  
2 TO INCREASE THE MAXIMUM COMPENSATION AUTHORIZED TO BE PAID FOR  
3 APPRAISALS IN CERTAIN EMINENT DOMAIN PROCEEDINGS; AND FOR RELATED  
4 PURPOSES.

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

6 SECTION 1. Section 11-27-89, Mississippi Code of 1972, is  
7 amended as follows:[JWB1]

8 11-27-89. The appraiser shall receive as compensation for  
9 his services such sum, plus expenses, as the court \* \* \* allows,  
10 which shall be taxed as cost in the proceedings \* \* \*. The sum  
11 allowed shall be based upon the degree of difficulty and the time  
12 required to perform the appraisal, but may not exceed One Thousand  
13 Dollars (\$1,000.00) unless, in the opinion of the court, special  
14 circumstances warrant a greater sum. An order granting a sum  
15 greater than One Thousand Dollars (\$1,000.00) must describe in  
16 detail the special circumstances that warrant payment of a greater  
17 sum.

18 The making of a deposit by the plaintiff or the withdrawal of  
19 said deposit by the defendant or defendants shall not prejudice  
20 the right of any party to a trial by jury in the special court of  
21 eminent domain to determine the fair market value of the property  
22 to be condemned and the damages, if any, to the remainder if less  
23 than the whole is taken, as provided in Sections 11-27-1 through  
24 11-27-49, Mississippi Code of 1972.

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