

By: Harden

To: Education

SENATE BILL NO. 2487

1 AN ACT TO AMEND SECTIONS 37-7-431 THROUGH 37-7-435,
2 MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT THAT LAND TO
3 BE ACQUIRED BY SCHOOL DISTRICTS BY THE EXCHANGE METHOD SHALL BE
4 ADJACENT TO EXISTING SCHOOL DISTRICT PROPERTY; AND FOR RELATED
5 PURPOSES.

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

7 SECTION 1. Section 37-7-433, Mississippi Code of 1972, is
8 amended as follows:[RDD1]

9 37-7-433. Upon being authorized by a resolution of the
10 school board as is provided by Section 37-7-431, the president and
11 secretary shall be authorized and empowered to execute, for and on
12 behalf of the school district, a conveyance of the school property
13 for the purposes, upon the terms and conditions provided and
14 specified by the school board, and for the consideration of the
15 execution of a deed to the * * * lands exchanged. It shall not be
16 necessary or requisite that competitive bids be advertised for or
17 received in connection with such exchange of property.

18 SECTION 2. Section 37-7-435, Mississippi Code of 1972, is
19 amended as follows:[RDD2]

20 37-7-435. The * * * lands shall be conveyed by warranty deed
21 to the school board members or their successors in office of the
22 school district. Said * * * lands shall be conveyed by fee simple
23 absolute.

24 SECTION 3. Section 37-7-431, Mississippi Code of 1972, is
25 amended as follows:[RDD3]

26 37-7-431. Whenever the school board of any school district
27 shall find and determine, by resolution duly and lawfully adopted

28 and spread upon its minutes, (a) that it shall need other lands
29 located within the school district for school purposes, (b) that
30 the district owns lands of equal value to such needed lands which
31 could be exchanged for such needed lands, (c) that the value of
32 the two (2) tracts is equal according to qualified appraisals, and
33 (d) that the owners of the other lands are agreeable to such
34 exchange, the school board of such school district shall be
35 authorized and empowered, in its discretion, to negotiate a trade
36 of lands upon such terms and conditions as the school board may,
37 in its discretion, deem proper in consideration of the needs of
38 the district and of the benefits which will inure to the said
39 school district.

40 Any such trade of lands shall be subject to approval by the
41 chancery court of the county in which the school lands lie.
42 Notice of the hearing before the chancery court shall be published
43 in a newspaper of general circulation in the school district for
44 three (3) consecutive weeks, the first notice to be at least
45 thirty (30) days prior to the hearing.

46 SECTION 4. This act shall take effect and be in force from
47 and after July 1, 2000.