

## REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2720: Master planned community; revise the definition of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate concur in House Amendment No. 1 with the following exception(s):

AMEND by striking lines 137 through 159 and inserting in lieu thereof the following:

(c) "High economic benefit project" means (i) any new investment by a private company with capital investments in land, buildings, depreciable fixed assets and improvements of at least Fifty Million Dollars (\$50,000,000.00); (ii) any new investment of at least Twenty Million Dollars (\$20,000,000.00) by a private company having capital investments in this state in land, buildings, depreciable fixed assets and improvements of at least One Billion Dollars (\$1,000,000,000.00) in the aggregate; (iii) public investment of at least One Hundred Million Dollars (\$100,000,000.00) to take place over a specified period of time and in accordance with a master plan duly adopted by the controlling political subdivision; (iv) any new investments in land, buildings, depreciable fixed assets and improvements by two (2) private companies upon land that is adjacent whenever the new investments of both companies are at least Sixty Million Dollars (\$60,000,000.00) in the aggregate, and such new investments by both private companies provide for the employment of at least five hundred (500) employees in the aggregate; (v) any project which would benefit from the construction of any highway bypass which would aid in economic development and would provide an alternate route to avoid an existing route which underpasses a railroad and which would aid in existing or proposed industry; \* \* \* (vi) any

master planned community \* \* \*; or (vii) any new investments in land, buildings, depreciable fixed assets and improvements by not more than three (3) private companies physically located within a one-half (1/2) mile radius of each other whenever the new investments of such companies are at least Sixty Million Dollars (\$60,000,000.00) in the aggregate, and such new investments by such companies provide for the employment of at least three hundred (300) new employees in the aggregate. However, if a private company that has met the definition of a high economic benefit project under paragraph (c)(i) of this subsection and that has been approved for such project has investments in land, buildings, depreciable fixed assets and improvements which exceeds Fifty Million Dollars (\$50,000,000.00), then an amount equal to fifty percent (50%) of such investments that exceeds Fifty Million Dollars (\$50,000,000.00) shall be subtracted from the Sixty Million Dollars (\$60,000,000.00) in aggregate value of new investments required under this paragraph (c)(vii).

**AMEND by striking the title in its entirety and inserting in lieu thereof the following:**

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY TO ENTER INTO DEVELOPMENT AGREEMENTS WITH THE DEVELOPERS OF MASTER PLANNED COMMUNITIES IN ORDER TO AUTHORIZE MASTER PLANNED COMMUNITIES, THROUGH A COMMUNITY SELF-GOVERNING ENTITY, TO ADMINISTER, MANAGE AND ENFORCE THE LAND USE RESTRICTIONS AND COVENANTS, ZONING REGULATIONS, BUILDING CODES AND REGULATIONS, AND ANY OTHER LIMITATIONS AND RESTRICTIONS ON LAND AND BUILDINGS PROVIDED FOR IN THE MASTER PLAN FOR SUCH COMMUNITY; TO PROVIDE THAT SUCH ENFORCEMENT SHALL BE IN LIEU OF THE REAL ESTATE AND PROPERTY OWNERS WITHIN THE MASTER PLANNED COMMUNITY BEING SUBJECT TO COUNTY ORDINANCES AND REGULATIONS PERTAINING TO BUILDINGS, SUBDIVISIONS, ZONING, THE COUNTY'S COMPREHENSIVE PLAN AND SIMILAR ORDINANCES OF THE COUNTY; TO PROVIDE THAT CERTAIN SUBSTANTIAL MODIFICATIONS OF THE MASTER PLAN SHALL BE SUBJECT TO, AND SHALL NOT TAKE EFFECT UNTIL, APPROVAL BY THE BOARD OF SUPERVISORS; TO PROVIDE THAT IN CASES IN WHICH THE ORDINANCES OF THE COUNTY CONFLICT WITH THE DEVELOPMENT AGREEMENT, THE DEVELOPMENT AGREEMENT

SHALL PREVAIL IN CERTAIN INSTANCES; TO DEFINE THE TERM "MASTER PLANNED COMMUNITY"; TO AMEND SECTION 65-4-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERMS "MASTER PLANNED COMMUNITY" AND "HIGH ECONOMIC BENEFIT PROJECT" FOR PURPOSES OF THE ECONOMIC DEVELOPMENT HIGHWAY ACT; TO AMEND SECTION 19-5-9,

MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

2. That the House concur in the above exception(s).

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

X \_\_\_\_\_

Tommy Dickerson

X \_\_\_\_\_

David L. Green

X \_\_\_\_\_

Nickey Browning

X \_\_\_\_\_

Warner F. McBride

X \_\_\_\_\_

Dean Kirby

X \_\_\_\_\_

Leonard Morris