SENATE BILL NO. 2577

AN ACT TO AMEND SECTION 29-3-33, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MEMBERS OF THE IMMEDIATE FAMILY AND GRANDPARENTS OF ANY LEASEHOLDER OF SIXTEENTH SECTION SCHOOL LAND CLASSIFIED AS RESIDENTIAL LAND SHALL BE FULLY AUTHORIZED TO RESIDE ON SUCH LAND; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 29-3-33, Mississippi Code of 1972, is amended as follows:

29-3-33. For the purpose of determining the proper category for such lands and the oil, gas and other minerals in, on and under such lands, the following definitions shall be controlling unless the context clearly indicates otherwise:

(a) "Forest land" shall mean all land at least ninety percent (90%) of the total area of which is at present forest or wasteland, or land which will produce a maximum of revenue by utilization to produce timber or other forest products, shall be classified as forest land. The unit of measurement to be used in arriving at the classification of forest land shall be the smallest division of the government survey covering said lands in counties where such government survey has been made, and in other counties shall be forty (40) acres.

(b) "Agricultural land" shall mean land most suitable for pasturage or cultivation.

(c) "Industrial land" shall mean land most suitable for port, harbor, industrial, manufacturing or warehousing use.

(d) "Commercial land" shall mean land most suitable for wholesale or retail businesses, financial institutions,
professional offices and clinics, service trades and occupations,
privately owned public utilities and similar businesses.

(e) "Residential land" shall mean any tract of land
upon which the lessee or board-approved sub-lessee is residing.
Such lands shall be set up, as nearly as possible, in a
rectangular form so as to include the houses and such other
permanent improvements as may have been placed thereon by said
lessee or his predecessor in title; provided, however, that such
tract of land shall not exceed five (5) acres. The immediate
family members and grandparents of the lessee of any tract of land
classified as residential shall be fully authorized to reside on
such land if such family member or grandparent is not paying rent
or other compensation to the lessee in order to reside thereon.

(f) "Farm residential land" shall mean any tract of
land upon which a leaseholder resides not exceeding one hundred
sixty (160) acres in size existing on July 1, 1978, which is
utilized for agricultural purposes. Provided, however, that farm
residential land may consist of two (2) noncontiguous tracts not
exceeding one hundred sixty (160) acres in the aggregate (a) with
reasonable easements connecting the residential and outlying
tracts; or (b) with the residential tract situated a distance not
exceeding one and one-half (1-1/2) miles from the outlying tract.
Provided further that no sixteenth section lands or lands granted
in lieu thereof, situated in a county lying wholly or partially
within a levee district shall be classified as farm residential
land.

(g) "Recreational land" shall mean land most suitable
for uses which provide for activities or services of a
recreational nature. Recreational nature shall include, but not
be limited to, parks, campsites, lodges and similar uses and
facilities.
(h) "Catfish farming land" shall mean land most suitable for the construction of catfish ponds and for wholesale or retail catfish farm raising and harvesting.

(i) "Other land" shall mean any land which is not suitable for any of the uses described above.

(j) "Oil, gas and minerals" shall mean the following:

(i) oil, gas, carbon dioxide and other gaseous substances; (ii) metals, compounds of metals, or metal-bearing ores; (iii) coal, including anthracite, bituminous, subbituminous, lignite and their constituent components and products and minerals intermingled or associated therewith; and (iv) sulphur, salt, sand, gravel, fill dirt and clay, in, on and under the lands classified above. Such oil, gas and minerals shall be a classification of land separate and distinct from the classifications set forth above in paragraphs (a) through (h) inclusive.

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