MISSISSIPPI LEGISLATURE

REGULAR SESSION 2002

By: Representative Denny

To: Municipalities

HOUSE BILL NO. 467

AN ACT TO PROHIBIT THE GOVERNING AUTHORITIES OF A
MUNICIPALITY FROM REQUIRING ITS EMPLOYEES TO BE RESIDENTS OF THE
MUNICIPALITY OR THE COUNTY IN WHICH THE MUNICIPALITY IS LOCATED;
AND FOR RELATED PURPOSES.

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

SECTION 1. (1) The governing authorities of any
municipality of this state shall not require that municipal
employees maintain their domicile and principal place of residence
inside the corporate boundaries of the municipality or in the
county in which the municipality is located at the time of their
employment.

(2) The governing authorities of any municipality shall not
require that municipal employees obtain a residence inside the
corporate boundaries of the municipality or in the county in which
the municipality is located within a certain period of time or be
subject to termination.

(3) The following words as used in this section shall have
the meanings ascribed to them in this subsection unless the
context clearly indicates otherwise:
(a) "Domicile" means a person's principal or primary
place of abode in which a person's habitation is fixed and to
which the person, whenever absent, has the present intention of
returning after a departure of absence therefrom, regardless of
the duration of the absence. The burden of proving domicile shall
be on the person claiming that status.
(b) "Residence" means the place where one actually
lives or has his home.
SECTION 2. This act shall take effect and be in force from and after July 1, 2002.