

By: Senator(s) Jordan

To: Finance

SENATE BILL NO. 2924

1 AN ACT TO AMEND SECTION 27-41-77, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE TAX SALE OF LAND; AND FOR RELATED PURPOSES.

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

4 **SECTION 1.** Section 27-41-77, Mississippi Code of 1972, is
5 amended as follows:

6 27-41-77. If any land be sold for more than the amount of
7 taxes due and all costs, the tax collector shall report the amount
8 of excess to the chancery clerk, and on his receipt warrant
9 therefor, shall pay the same into the county treasury. The board
10 of supervisors is directed to transfer all such funds so received
11 to the general funds of the county. If the land be redeemed, or
12 the title of the purchaser be defeated or set aside in any way or
13 for any reason, such excess shall be retained by the county. If
14 only a part of the land be redeemed, the excess shall be
15 apportioned ratably to the amount of taxes due at the time of the
16 sale on the respective parts. If a county enters into an
17 interlocal agreement for the collection of taxes for a
18 municipality or municipal separate school district, the excess
19 shall be prorated and the tax collector shall pay the same to the
20 municipality upon settlement of the proceeds of the land sale. If
21 a sale is declared void, or if the purchaser is entitled to a
22 refund of the excess for any reason, the prorated amount shall be
23 deducted from the next settlement by the chancery clerk. The
24 owner of the land may demand of the tax collector a memorandum or
25 receipt showing the amount of excess if any, and, upon the
26 expiration of the period of redemption, without the property being
27 redeemed, such excess shall, upon the request of the owner, be



28 paid to said owner. If the owner of the property does not request
29 payment of the excess within two (2) years from the expiration of
30 the period of redemption, the excess shall be retained by the
31 county. Whenever any person shall present a claim against the
32 excess fund, within the time period provided, certified to by the
33 chancery clerk, the board of supervisors shall order a warrant to
34 issue therefor on the general county fund.

35 **SECTION 2.** This act shall take effect and be in force from
36 and after July 1, 2002.

