HOUSE BILL NO. 37

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY, BY ORDINANCE, TO ADOPT PROCEDURES WHEREBY COUNTY EMPLOYEES OR OTHER DESIGNEES OF THE COUNTY MAY ENTER PRIVATE PROPERTY TO COVER OR REMOVE GRAFFITI THAT IS VISIBLE FROM A PUBLIC RIGHT-OF-WAY; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) The board of supervisors of any county, in its discretion, may adopt, by ordinance, procedures pursuant to which county employees or other designees of the county may enter private property to cover or remove graffiti that has been placed upon that property if the graffiti is visible from a public right-of-way. Any ordinance adopted pursuant to this section must provide that:

(a) Employees or other designees of the county shall not enter private property to cover or remove graffiti unless:

(i) The owner of the private property consents to the entry for such purpose; or

(ii) If the employee or designee is unable to contact the owner of the private property to obtain his consent, the board of supervisors first provides the owner of the property with written notice sent by United States certified mail, return receipt requested, at least seventy-two (72) hours before the employee or designee enters the property to cover or remove the graffiti; and

(b) The county shall pay all costs of covering or removing graffiti under this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2003.