HOUSE BILL NO. 360

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, 2003.