

By: Representative Simpson

To: Ways and Means

HOUSE BILL NO. 909

1 AN ACT TO AMEND SECTION 29-1-37, MISSISSIPPI CODE OF 1972, TO  
2 DELETE THE REQUIREMENT THAT APPLICATIONS TO PURCHASE TAX FORFEITED  
3 LAND BE NOTARIZED; TO ENABLE CERTAIN TRANSFERS TO BE PROCESSED  
4 MORE QUICKLY; TO AMEND SECTION 29-1-81, MISSISSIPPI CODE OF 1972,  
5 TO ALLOW FILING OF PATENTS WITH THE CHANCERY CLERK; TO PROVIDE FOR  
6 A FEE TO COVER THE COST OF FILING ORIGINAL PATENTS; AND FOR  
7 RELATED PURPOSES.

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

9 **SECTION 1.** Section 29-1-37, Mississippi Code of 1972, is  
10 amended as follows:

11 29-1-37. (1) Except as otherwise provided in subsection (2)  
12 of this section, any person desiring to purchase any state  
13 forfeited tax land shall make application in writing to the  
14 Secretary of State for the purchase of such land, and shall state  
15 in such application:

16 (a) A correct description of the land sought to be  
17 purchased.

18 (b) The name of the former owner and the name of the  
19 person to whom such land was assessed at the time of such tax  
20 sale, and the post office address of such former owner and the  
21 post office address of the person to whom such land was assessed  
22 at the time of such sale, if known to the applicant.

23 (c) Whether or not such land is occupied at the date of  
24 the filing of such application, and the name of the person  
25 occupying such land, if any.

26 (d) The nature and value of the improvements on such  
27 land.

28 (e) The approximate quantity of the merchantable timber  
29 on such land, if any.



30 (f) Such other special information as the Secretary of  
31 State with the approval of the Governor may require.

32 Each such application shall be signed by the applicant and  
33 shall contain a declaration that the statements and information  
34 submitted in the application are true and correct and are made  
35 under penalty of perjury. The Secretary of State may require such  
36 additional information with reference to the value of such lands,  
37 the nature and condition of the buildings and improvements on such  
38 lands, and the value of the timber on such lands as he may deem  
39 necessary. Such applications shall be filed by the Secretary of  
40 State in the order in which they are received. Each application  
41 shall be given a serial number and shall be entered on a record  
42 book on the day it is received. Such record book shall show the  
43 name of the applicant, the serial number of the application, and  
44 the county in which the property is situated.

45 Such application so filed shall remain on file with the  
46 Secretary of State at least thirty (30) days before same is acted  
47 upon and finally approved or disapproved. Applications made by  
48 the State Transportation Commission or the boards of supervisors  
49 of the various counties of the state for rights-of-way over and  
50 across tax-forfeited land may be acted upon immediately after  
51 filing, and shall not be required to be on file the thirty (30)  
52 days herein provided. Likewise, transfers of any tax land to  
53 another state agency, county, municipality or political  
54 subdivision of the state made under authority of Section 29-1-21  
55 may be acted on immediately and shall not be required to be on  
56 file the thirty (30) days provided herein.

57 (2) The Secretary of State, with the approval of the  
58 Governor, may dispose of any state forfeited tax land by sealed  
59 bids after three (3) weeks' advertisement in a newspaper in the  
60 county in which such land is located.

61 **SECTION 2.** Section 29-1-81, Mississippi Code of 1972, is  
62 amended as follows:



63           29-1-81. All conveyances of land by the state in fee shall  
64 be by patent issued from the Secretary of State's office; every  
65 patent issued shall be under the great seal, signed by the  
66 Secretary of State.

67           Such patent shall be issued in triplicate by the Office of  
68 the Secretary of State, the original of which shall be delivered  
69 to the patentee, one (1) copy thereof retained by the Secretary of  
70 State among the records of his office, and the third copy shall be  
71 mailed to the tax assessor of the county in which the land so  
72 patented is located on or before the fifteenth day of the month  
73 succeeding the date upon which the same was issued. Any patent  
74 issued under the provisions of this chapter which is not filed  
75 with the chancery clerk for recording within six (6) months from  
76 the date of the issuance of said patent shall be null and void and  
77 of no effect. Upon request by the patentee, the Secretary of  
78 State may file the original patent with the chancery clerk and  
79 such filing shall constitute delivery of the patent to the  
80 patentee. Prior to filing the original patent, the Secretary of  
81 State shall collect from the patentee a sum sufficient to cover  
82 the cost of filing the original patent.

83           All contracts of sale of public lands shall be issued from  
84 the Secretary of State's office in duplicate; and every contract  
85 issued shall be under the great seal, signed by the Secretary of  
86 State and countersigned by the Governor.

87           No more than one-quarter (1/4) section of land shall be  
88 embraced in the same patent or contract, except as otherwise  
89 provided by law.

90           **SECTION 3.** This act shall take effect and be in force from  
91 and after July 1, 2003.

