

By: Representative Reynolds

To: County Affairs

HOUSE BILL NO. 1457

1 AN ACT TO AMEND SECTION 65-7-201, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT PROCEEDINGS TO ESTABLISH A PRIVATE WAY OF
3 NECESSITY THROUGH THE LANDS OF ANOTHER FOR THE PURPOSE OF ALLOWING
4 INGRESS AND EGRESS SHALL BE FILED WITH AND DETERMINED BY THE
5 CIRCUIT COURT OF THE COUNTY WHERE THE LAND IS LOCATED; AND FOR
6 RELATED PURPOSES.

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

8 **SECTION 1.** Section 65-7-201, Mississippi Code of 1972, is
9 amended as follows:

10 65-7-201. When any person shall desire to have a private
11 road laid out through the land of another, when necessary for
12 ingress and egress, he shall apply by petition, stating the facts
13 and reasons, to the circuit court of the county where the land is
14 located, and the court shall determine the reasonableness of the
15 application. The owner of the property shall be a necessary party
16 to the proceedings. If the court finds in favor of the
17 petitioner, all damages that the court determines that the
18 landowner should be compensated for shall be assessed against and
19 shall be paid by the person applying for the private road, and he
20 shall pay all the costs and expenses incurred in the proceedings.

21 **SECTION 2.** This act shall take effect and be in force from
22 and after its passage.

