

By: Senator(s) Hewes

To: Highways and
Transportation

SENATE BILL NO. 2871

1 AN ACT TO AMEND SECTIONS 61-3-3 AND 61-5-3, MISSISSIPPI CODE
2 OF 1972, TO REVISE THE DEFINITION OF AIRPORTS TO INCLUDE BUFFER
3 AREAS; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 61-3-3, Mississippi Code of 1972, is
6 amended as follows:

7 61-3-3. The following words or terms, whenever used or
8 referred to in this chapter, shall have the following respective
9 meanings unless different meanings clearly appear from the
10 context:

11 (a) "Airport" means any area of land or water which is
12 used, or intended for use, for the landing and takeoff of
13 aircraft, and any appurtenant areas which are used, or intended
14 for use, for airport buildings or other airport facilities or
15 rights-of-way, or for other appropriate purposes, including buffer
16 areas and areas for airport compatible development, together with
17 all buildings and facilities located thereon.

18 (b) "Airport authority" or "authority" means any
19 regional airport authority or municipal airport authority created
20 pursuant to the provisions of this chapter.

21 (c) "Airport hazard" means any structure, object or
22 natural growth, or use of land which obstructs the airspace
23 required for the flight of aircraft in landing or taking off at an
24 airport, or is otherwise hazardous to such landing or taking off
25 of aircraft.

26 (d) "Air navigation facility" means any facility other
27 than one owned and operated by the United States, used in,

28 available for use in, or designed for use in aid of air
29 navigation, including any structures, mechanisms, lights, beacons,
30 markers, communicating systems, or other instrumentalities, or
31 devices used or useful as an aid, or constituting an advantage or
32 convenience, to the safe taking off, navigation and landing of
33 aircraft, or the safe and efficient operation or maintenance of an
34 airport, and any combination of any or all of such facilities.

35 (e) "Bonds" means any bonds, notes, interim
36 certificates, debentures or similar obligations issued by an
37 authority pursuant to this chapter.

38 (f) "Clerk" means the custodian of the official records
39 of a municipality.

40 (g) "Governing body" means the official or officials
41 authorized by law to exercise ordinance or other lawmaking powers
42 of a municipality.

43 (h) "Local government" means any local governmental
44 unit as defined in Section 17-13-5.

45 (i) "Municipal airport authority" or "municipal
46 authority" means a municipal airport authority created pursuant to
47 the provisions of Section 61-3-5.

48 (j) "Municipality" means any county, supervisors
49 district or supervisors districts, or all that portion of the
50 county lying outside the territorial boundaries of any named city,
51 town or village, and a city, town and village of this state or any
52 state-supported institution of higher learning or any public
53 community or junior college.

54 (k) "Person" means any individual, firm, partnership,
55 corporation, company, association, joint stock association or body
56 politic, and includes any trustee, receiver, assignee or other
57 similar representative thereof.

58 (l) "Regional airport authority" or "regional
59 authority" means a regional airport authority created pursuant to
60 the provisions of Section 61-3-7.

61 **SECTION 2.** Section 61-5-3, Mississippi Code of 1972, is
62 amended as follows:

63 61-5-3. As used in the Municipal Airport Law, unless the
64 text otherwise requires:

65 (a) "Airport" means any area of land or water which is
66 used, or intended for use, for the landing and take-off of
67 aircraft, and any appurtenant areas which are used, or intended
68 for use, for airport buildings or other airport facilities or
69 rights of way, or for other appropriate purposes, including buffer
70 areas and areas for airport compatible development, together with
71 all buildings and facilities located thereon.

72 (b) "Airport hazard" means any structure, object of
73 natural growth, or use of land which obstructs the airspace
74 required for the flight of aircraft in landing or taking-off at an
75 airport or is otherwise hazardous to such landing or taking-off of
76 aircraft.

77 (c) "Air navigation facility" means any facility, other
78 than one owned and operated by the United States, used in,
79 available for use in, or designed for use in, aid of air
80 navigation, including any structures, mechanisms, lights, beacons,
81 markers, communicating systems, or other instrumentalities, or
82 devices used or useful as an aid, or constituting an advantage or
83 convenience, to the safe taking-off, navigation, and landing of
84 aircraft, or the safe and efficient operation or maintenance of an
85 airport, and any combination of any or all of such facilities.

86 (d) "Joint airport board" shall mean a joint airport
87 board created pursuant to section 61-5-35.

88 (e) "Municipal airport board" shall mean a municipal
89 airport board created pursuant to section 61-5-25.

90 (f) "Municipality" means any county, city, village,
91 town, supervisors district or supervisors districts of this state.
92 "Municipal" means pertaining to a municipality as herein defined.

93 (g) "Person" means any individual, firm, partnership,
94 corporation, company, association, joint-stock association, or
95 body politic, and includes any trustee, receiver, assignee or
96 other similar representative thereof.

97 **SECTION 3.** This act shall take effect and be in force from
98 and after its passage.