

By: Senator(s) Michel

To: Public Property

SENATE BILL NO. 2891  
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 39-23-7, MISSISSIPPI CODE OF 1972, TO  
2 INCREASE TO 50 YEARS THE MAXIMUM TERM OF A LEASE OF A BUILDING AT  
3 A CERTAIN LOCATION THAT THE DEPARTMENT OF FINANCE AND  
4 ADMINISTRATION MAY ENTER INTO WITH A NONPROFIT CORPORATION WHOSE  
5 PRIMARY PURPOSE FOR INCORPORATION IS THE SUPPORT AND IMPROVEMENT  
6 OF A CHILDREN'S MUSEUM IN MISSISSIPPI; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 39-23-7, Mississippi Code of 1972, is  
9 amended as follows:

10 39-23-7. (1) If the old National Guard Armory is repaired,  
11 renovated, furnished and equipped as provided for in Sections  
12 39-23-1 through 39-23-7 and Sections 20 through 33 of Chapter 535,  
13 Laws of 1997, as amended, the Mississippi Fair Commission shall  
14 lease the facility for a period not exceeding twenty (20) years to  
15 a nonprofit corporation whose primary purpose for incorporation is  
16 the support and improvement of a children's museum in Mississippi.  
17 The benefit to Mississippi from the operation of such lease shall  
18 be considered as sufficient consideration. The lease shall be  
19 executed for a nominal fee and it shall be presumed that such  
20 lease shall not amount to a donation of state property.

21 (2) If the facility at the location described in Section  
22 39-23-3(c) is repaired, renovated, furnished and equipped as  
23 provided for in Sections 39-23-1 through 39-23-7 and Sections 20  
24 through 33 of Chapter 535, Laws of 1997, as amended, the  
25 Department of Finance and Administration shall lease the facility  
26 for a period not exceeding twenty (20) years to a nonprofit  
27 corporation whose primary purpose for incorporation is the support  
28 and improvement of a children's museum in Mississippi. The  
29 benefit to Mississippi from the operation of such lease shall be

30 considered as sufficient consideration. The lease shall be  
31 executed for a nominal fee and it shall be presumed that such  
32 lease shall not amount to a donation of state property.

33 (3) If the facility at the location described in Section  
34 39-23-3(d) is constructed, furnished and equipped as provided for  
35 in Sections 39-23-1 through 39-23-7 and Sections 20 through 33 of  
36 Chapter 535, Laws of 1997, as amended, the Department of Finance  
37 and Administration shall lease the facility for a period not  
38 exceeding twenty (20) years to a nonprofit corporation whose  
39 primary purpose for incorporation is the support and improvement  
40 of a children's museum in Mississippi. The benefit to Mississippi  
41 from the operation of such lease shall be considered a sufficient  
42 consideration. The lease shall be executed for a nominal fee and  
43 it shall be presumed that such lease shall not amount to a  
44 donation of state property.

45 (4) If the facility at a location selected as provided in  
46 Section 39-23-3(e), to include the approval of any using and/or  
47 controlling agency, board or commission of the proposed site, is  
48 constructed, furnished and equipped as provided for in Sections  
49 39-23-1 through 39-23-7 and Sections 20 through 33 of Chapter 535,  
50 Laws of 1997, as amended, the Department of Finance and  
51 Administration shall lease the facility for a period not exceeding  
52 fifty (50) years to a nonprofit corporation whose primary purpose  
53 for incorporation is the support and improvement of a children's  
54 museum in Mississippi. The benefit to Mississippi from the  
55 operation of such lease shall be considered a sufficient  
56 consideration. The lease shall be executed for a nominal fee and  
57 it shall be presumed that such lease shall not amount to a  
58 donation of state property. Upon the expiration of the fifty-year  
59 lease term, the property leased, conveyed or transferred under  
60 this section shall revert back to the controlling agency or to the  
61 State of Mississippi.

62           (5) The State of Mississippi shall retain all mineral rights  
63 to such property.

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