

By: Representative Gunn

To: Municipalities

## HOUSE BILL NO. 951

1 AN ACT TO AMEND SECTION 21-1-31, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT ALL PROPERTY OWNERS IN TERRITORY PROPOSED TO BE  
3 ANNEXED BY A MUNICIPALITY SHALL RECEIVE WRITTEN NOTICE BY REGULAR  
4 MAIL OF SUCH ANNEXATION; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 21-1-31, Mississippi Code of 1972, is  
7 amended as follows:

8 21-1-31. (1) Upon the filing of such petition and upon  
9 application therefor by the petitioner, the chancellor shall fix a  
10 date certain, either in term time or in vacation, when a hearing  
11 on the petition will be held, and notice thereof shall be given in  
12 the same manner and for the same length of time as is provided in  
13 Section 21-1-15 with regard to the creation of municipal  
14 corporations, and all parties interested in, affected by, or being  
15 aggrieved by the proposed enlargement or contraction shall have  
16 the right to appear at such hearing and present their objection to  
17 such proposed enlargement or contraction. However, in all cases  
18 of the enlargement of municipalities where any of the territory  
19 proposed to be incorporated is located within three (3) miles of  
20 another existing municipality, then such other existing  
21 municipality shall be made a party defendant to said petition and  
22 shall be served with process in the manner provided by law, which  
23 process shall be served at least thirty (30) days prior to the  
24 date set for the hearing.

25 (2) In addition to the notice requirements of subsection (1)  
26 of this section, written notice of the hearing shall be given by  
27 regular mail at least thirty (30) days prior to the day fixed for  
28 the hearing of the petition to all property owners located in the

29 proposed enlargement or contraction as reflected on the tax rolls  
30 of the county or counties at the time of the filing of the  
31 petition. Written notice to such property owners shall be sent to  
32 the address listed on the tax rolls of the county or counties  
33 within such proposed enlargement or contraction. Such written  
34 notice shall give the property owners instructions on how they may  
35 appear and enter their objections, if any, to the proposed  
36 enlargement or contraction.

37       **SECTION 2.** This act shall take effect and be in force from  
38 and after July 1, 2007.