

By: Representative Weathersby

To: Public Property;  
AppropriationsHOUSE BILL NO. 1185  
(As Sent to Governor)

1 AN ACT TO AUTHORIZE THE MISSISSIPPI DEVELOPMENT AUTHORITY,  
 2 ACTING ON BEHALF OF THE DEPARTMENT OF EDUCATION, TO LEASE FOR A  
 3 CERTAIN NUMBER OF YEARS THE PROPERTY FORMERLY KNOWN AS THE "OLD  
 4 SCHOOL FOR THE BLIND" WHICH IS LOCATED NORTH OF EASTOVER DRIVE IN  
 5 THE CITY OF JACKSON, HINDS COUNTY, MISSISSIPPI; TO REQUIRE THE  
 6 PROPERTY TO BE LEASED FOR PRIVATE REDEVELOPMENT RESULTING IN ITS  
 7 HIGHEST AND BEST USE; TO PROVIDE FOR THE RENEWAL OF RESIDENTIAL  
 8 AND NONRESIDENTIAL PROPERTY LEASES; TO AMEND SECTIONS 27-33-17 AND  
 9 27-33-19, MISSISSIPPI CODE OF 1972, TO ALLOW HOMESTEAD EXEMPTION  
 10 FOR PERSONS WHO SUBLEASE SUCH LAND FROM THE LESSEE AND OCCUPIES  
 11 AND USES THE PROPERTY AS A HOME; AND FOR RELATED PURPOSES.

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

13 **SECTION 1.** (1) Acting on behalf of the Department of  
 14 Education, the Mississippi Development Authority, with the  
 15 approval of the Secretary of State, is authorized to lease for a  
 16 period not to exceed sixty (60) years with an option to renew not  
 17 to exceed twenty (20) years all of the land, formerly known as the  
 18 "Old School for the Blind," located north of Eastover Drive in the  
 19 City of Jackson, Hinds County, Mississippi, and more particularly  
 20 described as follows:

21 Starting at a concrete monument that is the SE corner of  
 22 the SW 1/4 of the SW 1/4 of Section 24, T6N, R1E in the  
 23 First Judicial District, Hinds County, Mississippi, run  
 24 thence N 00°-01' E along the line between the E 1/2 and  
 25 the W 1/2 of the SW 1/4 of Section 24, T6N, R1E for a  
 26 distance of 194.40 feet to a point on the north line of  
 27 Eastover Drive, as said drive is now laid out and  
 28 improved, the point of beginning.

29 Run thence N 56°-46' W along said north line of said  
 30 Eastover Drive for a distance of 3.02 feet to the P.C.  
 31 of a curve to the left with a radius (chord) of 5769.65

32 feet (angle of curve was omitted, 04°-00'-0r"); Run  
33 thence along said curve and said north line of Eastover  
34 Drive for a distance of 402.91 feet to the P.T. of said  
35 curve; Run thence N 60°-46' W along said north line of  
36 said Eastover Drive for a distance of 684.92 feet to a  
37 point on the east right-of-way line of U.S. Highway No.  
38 51, as said highway is now laid out and improved, Run  
39 thence N 29°-14' E along said east right-of-way line of  
40 U.S. Highway No. 51 for a distance of 1422.24 feet to a  
41 point; Run thence N 87°-06' E for a distance of 251.28  
42 feet to a point on the line between the E 1/2 and the W  
43 1/2 of the SW 1/4 of Section 24, T6N, R1E, and also  
44 being a point on the south line of share 1 of the Mosal  
45 partition; Run thence S 00°-01' W along said line  
46 between the E 1/2 and the W 1/2 of the SW 1/4 of Section  
47 24, T6N, R1E for a distance of 1796.17 feet to the point  
48 of beginning.

49 All the above described land being situated in the W 1/2  
50 of the SW 1/4 of Section 24, T6N, R1E in the First  
51 Judicial District of Hinds County, Mississippi, and  
52 being wholly within the corporate limits of the City of  
53 Jackson and containing 22.822 acres.

54 (2) (a) The property described in subsection (1) shall be  
55 leased for private redevelopment to result in the highest and best  
56 use as determined by the Mississippi Development Authority and to  
57 ensure that the property is used in a manner that will not  
58 interfere with the operation of the Mississippi School for the  
59 Blind or the Mississippi School for the Deaf; provided that such  
60 redevelopment shall be a mixed-use development consisting of  
61 commercial, residential and retail space, with an investment of  
62 not less than One Hundred Million Dollars (\$100,000,000.00). The  
63 Mississippi Development Authority is authorized to negotiate all

64 aspects of the lease and final execution of the lease shall be  
65 subject to the approval of the Secretary of State.

66 (b) It is the intent of the Legislature that such  
67 property will be leased to a private developer for the benefit of  
68 creating value while also preserving the local environment,  
69 promoting growth in the area and generating a constant revenue  
70 stream for the State of Mississippi.

71 (c) The Mississippi Development Authority is authorized  
72 to make such terms and agreements as may be reasonably necessary  
73 to effect such intent to ensure a fair and equitable return to the  
74 state, and the lease shall contain a provision requiring that the  
75 lessee construct a new residence for the Superintendent of the  
76 Mississippi School for the Blind and a new storage and building  
77 maintenance facility on the grounds of the new campus for the  
78 school.

79 (d) The lessee of the property shall be allowed to  
80 sublease all or a portion of such property under the terms and  
81 conditions agreed to by the Mississippi Development Authority.

82 (3) All lease and rental monies from the lease authorized in  
83 this section shall be deposited into a special fund, which is  
84 created in the State Treasury. Monies in the special fund shall  
85 be disbursed by the Department of Finance and Administration, to  
86 the State Board of Education, for the sole benefit of the  
87 Mississippi School for the Blind and the Mississippi School for  
88 the Deaf. Unexpended amounts remaining in the special fund at the  
89 end of a fiscal year shall not lapse into the State General Fund,  
90 and any interest earned on amounts in the special fund shall be  
91 deposited to the credit of the special fund.

92 (4) Oil, gas and mineral rights in the property shall be  
93 reserved to the State of Mississippi, and no provision of the  
94 lease may provide otherwise.

95 (5) Nothing in this section shall be construed to authorize  
96 the sale or transfer of title to the property described in  
97 subsection (1).

98 (6) There is created a legislative advisory committee to  
99 consult with the Mississippi Development Authority with regard to  
100 the property known as the "Old School for the Blind." Prior to  
101 the final selection of a developer and prior to the adoption of a  
102 final development plan the Mississippi Development Authority shall  
103 meet with the advisory committee to make a presentation and offer  
104 its recommendations. The advisory committee shall be composed of  
105 the following members:

106 (a) The respective chairmen of the Public Property  
107 Committees and Education Committees of the House of  
108 Representatives and the Senate;

109 (b) One (1) member of the House of Representatives, to  
110 be appointed by the Speaker of the House; and

111 (c) One (1) member of the Senate, to be appointed by  
112 the Lieutenant Governor.

113 The respective chairmen of the House and Senate Public  
114 Property Committees shall serve as cochairmen of the committee.  
115 All members of the advisory committee shall be notified by the  
116 cochairmen in writing of all meetings, such notices to be mailed  
117 at least five (5) days prior to the date on which a meeting is to  
118 be held. Members of the committee shall be paid from the  
119 contingent expense funds of their respective houses in the same  
120 manner as provided for committee meetings when the Legislature is  
121 not in session.

122 **SECTION 2.** (1) For purposes of this section and Section 3  
123 of this act, "Old School for the Blind Land" means the land  
124 described in Section 1 of this act.

125 (2) At any time after the first fifteen (15) years of the  
126 term of any residential lease or sublease of Old School for the  
127 Blind Land, the then present lessee may obtain from the

128 Mississippi Development Authority a new sixty-year lease on the  
129 terms and conditions contained in the then current lease form  
130 approved for use in residential leases with the exception of rent.  
131 Rent under such sixty-year leases will be payable on the same  
132 annual payment date as rent under the lease being renewed. The  
133 annual rental under the new lease will be determined by the  
134 Mississippi Development Authority as follows:

135           (a) Renewal of Leases with Fixed Rental  
136 (nonescalating): The Mississippi Development Authority will  
137 recompute the annual rental due under the lease being renewed as  
138 if the lease had contained annual rents at the fixed amount stated  
139 in the lease for the first ten-year period, escalating thereafter  
140 at ten percent (10%), rounded to the nearest Five Dollars (\$5.00),  
141 every five-year period. The annual rental which would have been  
142 payable as of the renewal date will be the annual rent payable for  
143 the first ten-year period of the renewed lease. Annual rental  
144 will escalate thereafter at ten percent (10%), rounded to the  
145 nearest Five Dollars (\$5.00), every five (5) years. Recomputed  
146 annual rental will be payable from and after the first day of the  
147 renewed lease term and not for the period prior to renewal.

148           (b) Renewal of Leases with Escalating Rental: Annual  
149 rental will remain payable in accordance with the terms of the  
150 lease being renewed with rental continuing to escalate at ten  
151 percent (10%), rounded to the nearest Five Dollars (\$5.00), every  
152 five (5) years during the renewed term.

153           (3) A reasonable nonrefundable fee may be charged for  
154 preparation of the renewal lease. The lessee will be responsible  
155 for obtaining the consent of any mortgage holder to the lease  
156 modification.

157           (4) At any time a lessee is found to be in default or in  
158 breach of the terms and conditions contained in the lease, the  
159 Mississippi Development Authority shall give thirty (30) days'  
160 written notice to such lessee before terminating the lease. Such

161 notice shall be by certified mail and shall specifically state the  
162 default or breach. If the lessee does not cure the default or  
163 breach within thirty (30) days of such notice, then the  
164 Mississippi Development Authority shall give written notice to the  
165 holder of any mortgage or deed of trust on the leasehold and such  
166 holder shall thereupon have thirty (30) days to cure the default  
167 or breach before the lease is terminated.

168 **SECTION 3.** (1) Any holder of a lease of Old School for the  
169 Blind Land that is not a residential lease subject to Section 2 of  
170 this act, shall have the right, exclusive of all other persons, to  
171 renew the lease at fair market value at any time prior to  
172 expiration of the lease.

173 (2) Other than the right of a lessee to renew at fair market  
174 value, nothing in this section is intended to limit or restrict  
175 the right of the Mississippi Development Authority to negotiate  
176 terms of any lease in furtherance of any of the purposes  
177 authorized by this section and in a manner deemed favorable to the  
178 state.

179 (3) (a) Prior to entering into any nonresidential lease  
180 under this section, whether a new or renewal lease, the  
181 Mississippi Development Authority shall obtain at least one (1)  
182 appraisal from a competent appraiser establishing the fair market  
183 rental value of the land, exclusive of improvements made by the  
184 leaseholder or any predecessor in title, and, except as otherwise  
185 provided in paragraph (b) of this subsection, the land shall not  
186 be leased for an amount less than the fair market rental as  
187 determined by the appraiser. The Mississippi Development  
188 Authority may require such other terms as it deems advisable. The  
189 cost of the appraisal shall be paid by the Mississippi Development  
190 Authority and may be included in the costs of lease renewal to be  
191 reimbursed by the lessee.

192 (b) The lessee may obtain an appraisal from a certified  
193 real estate appraiser establishing the fair market rental value of

194 the land. If the fair market rental value of the land established  
195 in such appraisal differs from the fair market rental value of the  
196 land established in the appraisal obtained by the Mississippi  
197 Development Authority, the land shall not be leased for an amount  
198 less than the average of the fair market rental value established  
199 by the two (2) appraisals.

200 (4) For the purposes of this section, "terms" means rent,  
201 rent escalation clauses, rental adjustment periods and method of  
202 determination, term of years, permitted use, condition of  
203 improvements, removal of improvements, compliance with rules and  
204 regulations and other matters typically addressed in a commercial  
205 lease.

206 (5) In the event a lessee has not obtained a new lease  
207 pursuant to the provisions of this section, any preemptive right  
208 of the lessee to lease the property shall be extinguished upon  
209 expiration of the lease, and, if required by the terms of the  
210 lease and at the option of the Mississippi Development Authority,  
211 the lessee shall remove all improvements and other structures on  
212 the property immediately upon termination of the lease.

213 **SECTION 4.** Section 27-33-17, Mississippi Code of 1972, is  
214 amended as follows:

215 27-33-17. The meaning of the words "own," "owned,"  
216 "ownership" and similar words, for the purpose of this article,  
217 shall be limited to real estate, and to title, as follows:

218 (a) "Fee title," meaning inheritable title (whether by  
219 inheritance, gift or purchase), limited to only ownerships known  
220 as (1) "absolute" (freehold), or (2) "tenancy for life" (life  
221 estate), or (3) "tenancy in common," "joint tenancy," "joint  
222 ownership" and "common title"; the conditions of none of which may  
223 be restricted during the life of the owner as to possession,  
224 occupancy and use; and the words "joint owner," "joint tenant" or  
225 "joint tenancy" when used in this article shall include "tenant in

226 common," "tenancy in common" and "estate in common," unless a  
227 different meaning is clearly indicated by the context.

228 (b) "An express trust of record," meaning a trust  
229 created in express terms in a recorded deed, will or other  
230 writing, with reference to the land to which it applies, the  
231 beneficiary of which trust is the head of a family, who under the  
232 terms of the trust, is entitled to and does occupy and use the  
233 property as a home, which property is assessed for taxation to the  
234 beneficiary and on which property the beneficiary pays the taxes,  
235 unless otherwise provided in the trust.

236 (c) "School lands legally leased," meaning a legal  
237 lease of school land which is perpetually renewable, or school  
238 land legally leased for a term of ten (10) years or more under the  
239 provisions of Section 211 of the Mississippi Constitution, the  
240 owner of which lease is the head of a family who is entitled to  
241 and does occupy and use the property as a home, and who renders  
242 the property for assessment and pays the taxes thereon, as  
243 required by law.

244 (d) "Pearl River Valley Water Supply District lands  
245 legally leased," meaning a legal lease of lands owned in fee by  
246 the Pearl River Valley Water Supply District, an agency of the  
247 State of Mississippi, for a period of twenty (20) years or more,  
248 with the option of renewal for successive periods of ten (10)  
249 years, to a person, individually or in joint tenancy, who is the  
250 head of a family and is entitled to and does occupy and use the  
251 property as a home, and who renders the property for assessment  
252 and pays the taxes thereon, as required by law.

253 (e) "Mississippi-Yazoo Delta Levee Board lands legally  
254 leased," meaning a legal lease of lands owned in fee title by the  
255 Mississippi-Yazoo Delta Levee Board, an agency of the State of  
256 Mississippi, for a period of five (5) years or more, with the  
257 option of renewal for successive periods of five (5) years, to a  
258 person, individually or in joint tenancy, who is the head of a



259 family and is entitled to and does occupy and use the property as  
260 a home, and who renders the property for assessment and pays the  
261 taxes thereon, as required by law. This exemption shall include  
262 all leases in existence that were entered into prior to July 1,  
263 1992.

264 (f) If title is held by deed or other grant, such  
265 instrument shall be dated and acknowledged on or before January 1  
266 of the year for which homestead exemption is applied and shall be  
267 filed for record with the chancery clerk on or before January 7 of  
268 the year for which homestead exemption is applied and the book and  
269 page of such recordation shall be noted on the application. If  
270 title is held by will, inheritance, adverse possession or any  
271 means other than grant, same may be proved by affidavit, citation  
272 of any court record, or such other evidence as may be required by  
273 the commission. However, nothing shall prevent homestead  
274 exemptions where it shall be shown that title was derived through  
275 inheritance and the recording evidence otherwise necessary was  
276 later recorded.

277 (g) "Fraternal or benevolent organization land legally  
278 leased," meaning a legal lease of land from any fraternal or  
279 benevolent organization owning land exempt from ad valorem  
280 taxation under the provisions of Section 27-31-1, leased for ten  
281 (10) years or more or for life, the owner of which lease is a head  
282 of a family who is entitled to and does occupy and uses the  
283 property as a home, and who renders the property for assessment  
284 and pays the tax thereon, as required by law. This paragraph  
285 shall not apply to any leased land if the dwelling located thereon  
286 is owned by the fraternal or benevolent organization.

287 (h) "A remainder interest in the dwelling and eligible  
288 land," meaning an interest held by the children of a testator in a  
289 dwelling and the eligible land on which it is located, created by  
290 the express terms of the will of the testator, in which the  
291 children of the testator are granted the use of property only upon

292 the death or remarriage of the spouse of the testator or the  
293 occurrence of certain other contingencies and such dwelling and  
294 the eligible land on which it is located is assessed for taxation  
295 to the children of the testator and on which dwelling and eligible  
296 land the children of the testator pay the taxes thereon, as  
297 required by law.

298 (i) "Old School for the Blind land legally subleased,"  
299 meaning a legal sublease of land leased pursuant to Section 1 of  
300 House Bill No. 1185, 2007 Regular Session, subleased for twenty  
301 (20) years or more, the owner of which lease is a head of a family  
302 who is entitled to and does occupy and uses the property as a  
303 home, and who renders the property for assessment and pays the tax  
304 thereon, as required by law.

305 **SECTION 5.** Section 27-33-19, Mississippi Code of 1972, is  
306 amended as follows:

307 27-33-19. The word "home" or "homestead" whenever used in  
308 this article shall mean the dwelling, the essential outbuildings  
309 and improvements, and the eligible land assessed on the land roll  
310 actually occupied as the primary home of a family group, eligible  
311 title to which is owned by the head of the family, a bona fide  
312 resident of this state, and when the dwelling is separately  
313 assessed on the land roll for the year in which the application is  
314 made, subject to the limitations and conditions contained in this  
315 article. And the meaning of the word is hereby extended to  
316 specifically include:

317 (a) One or more separate, bona fide dwellings and the  
318 land on which they are located, each occupied under eligible  
319 ownership rights by the widow or the widower, or the children of a  
320 deceased parent, each separate home being property or a portion of  
321 property owned by a deceased person whose estate has not been  
322 distributed or divided or vested in a person or persons for life.  
323 But in each case the property for which exemption is sought may  
324 not be more than the applicant's inherited portion, and must be

325 accurately described on the application and the conditions  
326 explained in writing. But the heirs may elect to accept one (1)  
327 homestead for the estate. The home occupied by the surviving  
328 spouse as provided by the laws of this state shall be preferred  
329 over the homes claimed by the children, and the exemption to any  
330 other heir shall not exceed the remaining amount obtained by  
331 deducting the assessed value of the surviving spouse's portion  
332 from the assessed value of the whole, divided by the number of  
333 heirs other than the surviving spouse. Each heir claiming  
334 exemption shall meet the requirements as to occupancy, residence  
335 and head of a family, and no part of the undivided inherited lands  
336 shall be combined with other lands and included in a homestead  
337 exemption under this article except in the case of the surviving  
338 spouse.

339 (b) One or more separated dwellings and eligible land,  
340 not apartments, occupied each by a family group as a bona fide  
341 home, eligible title to which entire property is held jointly by  
342 purchase or otherwise by the heads of the families, and each joint  
343 owner shall be allowed exemption on the proportion of the total  
344 assessed value of all the property, equal to his fractional  
345 interest (except as otherwise provided in paragraph (r) of this  
346 section), provided no part of the jointly owned property shall be  
347 exempted to a joint owner who has been allowed an exemption on  
348 another home in the state.

349 (c) A dwelling and eligible lands owned jointly or  
350 severally by a husband and wife, if they are actually and legally  
351 living together. But if husband and wife are living apart, not  
352 divorced, as provided by paragraphs (c) and (d) of Section  
353 27-33-13, jointly owned land shall not be included except that the  
354 dwelling occupied as a home at the time of separation shall be  
355 eligible if owned jointly or severally.

356 (d) The dwelling and eligible land on which it is  
357 located, owned and actually occupied as a home by a minister of

358 the gospel or by a licensed school teacher actively engaged whose  
359 duties as such require them to be away from the home for the major  
360 part of each year, including January 1, provided it was eligible  
361 before such absence, and no income is derived therefrom, and no  
362 part of the dwelling claimed as a home is rented, leased or  
363 occupied by another family group, and when the home is eligible  
364 except for the temporary absence of the owner.

365 (e) The dwelling and the eligible land on which it is  
366 located, consisting of not more than four (4) apartments; provided  
367 (1) if one (1) apartment is actually occupied as a home by the  
368 owner the exemption shall be limited to one-fourth (1/4) the  
369 exemption granted pursuant to this article, or (2) if the dwelling  
370 and land is owned by four (4) persons and the four (4) owners each  
371 occupy one (1) apartment as a home, the exemption shall be granted  
372 equally to each owner; provided revenue is not derived from any  
373 part of the property except as permitted by paragraphs (g) and (h)  
374 of this section. If the dwelling and the eligible land on which  
375 it is located consists of not more than three (3) apartments, and  
376 one (1) apartment is actually occupied as a home by the owner, the  
377 exemption shall be limited to one-third (1/3) the exemption  
378 granted pursuant to this article, or if the dwelling and land is  
379 owned by three (3) persons and the three (3) owners each occupy  
380 one (1) apartment as a home, the exemption shall be granted  
381 equally to each owner; provided revenue is not derived from any  
382 part of the property except as permitted by paragraphs (g) and (h)  
383 of this section. If the dwelling and the eligible land on which  
384 it is located consists of not more than two (2) apartments and one  
385 (1) apartment is actually occupied as a home by the owner, the  
386 exemption shall be limited to one-half (1/2) the exemption granted  
387 pursuant to this article, or if the dwelling and land is owned by  
388 two (2) persons and the two (2) owners each occupy one (1)  
389 apartment as a home, the exemption shall be granted equally to  
390 each owner; provided revenue is not derived from any part of the

391 property except as permitted by paragraphs (g) and (h) of this  
392 section.

393 (f) The dwelling and eligible land on which it is  
394 located, actually occupied as the bona fide home of a family group  
395 owned by the head of the family whereof five (5) and not more than  
396 six (6) rooms are rented to tenants or boarders, and where there  
397 are rented rooms and an apartment, the apartment shall be counted  
398 as three (3) rooms; provided the exemption shall be limited to  
399 one-half (1/2) the exemption granted pursuant to this article.

400 (g) The dwelling and eligible land being the bona fide  
401 home of a family group owned by the head of the family used partly  
402 as a boarding house, or for the entertainment of paying guests, if  
403 the number of boarders or paying guests does not exceed eight (8).

404 (h) The dwelling and eligible land being the bona fide  
405 home of a family group owned by the head of the family wherein  
406 activity of a business nature is carried on, but where the  
407 assessed value of the property associated with the business  
408 activity is less than one-fifth (1/5) of the total assessed value  
409 of the bona fide home; provided, however, that when the owner's  
410 full-time business is located in the bona fide home of the head of  
411 the family, such owner shall be limited to one-half (1/2) of the  
412 exemption granted pursuant to this article.

413 (i) The dwelling and the eligible land on which it is  
414 located and other eligible land even though ownership of and title  
415 to the dwelling and the land on which it is located has been  
416 conveyed to a housing authority for the purpose of obtaining the  
417 benefits of the Housing Authorities Law as authorized by Sections  
418 43-33-1 through 43-33-53 or related laws.

419 (j) A dwelling and the eligible land on which it is  
420 located owned by a person who is physically or mentally unable to  
421 care for himself and confined in an institution for treatment  
422 shall be eligible notwithstanding the absence of the owner unless  
423 the home is excluded under other provisions of this article. The

424 exemption is available for a period of ten (10) years from the day  
425 of confinement.

426 (k) The dwelling and the eligible land on which it is  
427 located owned by two (2) or more persons of a group, as defined in  
428 paragraph (f) of Section 27-33-13, when two (2) or more of the  
429 group have eligible title, or if the group holds a life estate, a  
430 joint estate or an estate in common; provided the title of the  
431 several owners shall be of the same class.

432 (l) A dwelling and the eligible land on which it is  
433 located under a lease of sixty (60) years by the Pearl River  
434 Valley Water Supply District at the reservoir known as the "Ross  
435 Barnett Reservoir" actually occupied as the home or homestead of a  
436 family or person as defined heretofore in this article. However,  
437 no such family group or any other person heretofore qualified and  
438 defined in this article shall be allowed to establish more than  
439 one (1) home or homestead for the purpose and intent of this  
440 article.

441 (m) Units of a condominium constructed in accordance  
442 with Section 89-9-1 et seq., Mississippi Code of 1972, known as  
443 the "Mississippi Condominium Law," and actually occupied as the  
444 home or homestead of a family or person as defined heretofore in  
445 this article. However, no such family group or any other person  
446 heretofore qualified and defined in this article shall be allowed  
447 to establish more than one (1) home or homestead for the purpose  
448 and intent of this article.

449 (n) A dwelling and the eligible land on which it is  
450 located held under a lease of ten (10) years or more or for life,  
451 from a fraternal or benevolent organization and actually occupied  
452 as the home or homestead of a family or person as defined  
453 heretofore in this article. No such family group or any other  
454 person heretofore qualified and defined in this article shall be  
455 allowed to establish more than one (1) home or homestead for the  
456 purpose and intent of this article.

457           (o) A dwelling being the bona fide home of a family  
458 group owned by the head of the family and located on land owned by  
459 a corporation incorporated more than fifty (50) years ago and in  
460 which the homeowner is a shareholder, and which corporation owns  
461 no land outside Monroe and Itawamba Counties. No family group or  
462 any other person heretofore qualified and defined in this article  
463 shall be allowed to establish more than one (1) home or homestead  
464 for the purpose and intent of this article.

465           (p) A dwelling and the eligible land on which it is  
466 located under a lease of five (5) years or more by the  
467 Mississippi-Yazoo Delta Levee Board actually occupied as the home  
468 or homestead of a family or person as defined pursuant to this  
469 article. However, no such family group or any other person  
470 qualified and defined pursuant to this article shall be allowed to  
471 establish more than one (1) home or homestead for the purpose and  
472 intent of this article. The definition shall include all leases  
473 in existence that were entered into prior to July 1, 1992.

474           (q) A dwelling and the eligible land on which the  
475 spouse of a testator is granted the use of such dwelling for life  
476 or until the occurrence of certain contingencies and the children  
477 of such testator are granted a remainder interest in the dwelling  
478 and eligible land. Such dwelling and eligible land will only  
479 qualify as a home or homestead if (i) the spouse of the testator  
480 would otherwise qualify as head of a family if the interest were a  
481 tenancy for life (life estate) and (ii) the dwelling and eligible  
482 land is actually occupied as the home of the spouse of the  
483 testator. The children of the testator shall be allowed to  
484 establish an additional homestead for purposes of this article.

485           (r) A dwelling and the eligible land actually occupied  
486 as the bona fide home of a family group. If a person has been  
487 granted use and possession of a home in a divorce decree, that  
488 individual is eligible for full exemption, regardless of whether  
489 the property is jointly owned.

490           (s) A dwelling being the bona fide home of a family  
491 group located on land owned by a corporation incorporated more  
492 than forty (40) years ago and in which the head of the family  
493 group is a shareholder, and which corporation owns no land outside  
494 Lee County, Mississippi. No family group or any other person  
495 qualified and defined in this article shall be allowed to  
496 establish more than one (1) home or homestead for the purpose and  
497 intent of this article.

498           (t) The floor or floors of a building used solely for  
499 the residence of a family group when the building is owned by the  
500 head of the family and another floor or floors of the building are  
501 used for business activity.

502           (u) A dwelling being the bona fide home of a family  
503 group located on land owned by an incorporated club and in which  
504 the head of the family group is a shareholder, and which  
505 incorporated club owns no land outside Union County, Mississippi;  
506 provided, the incorporated club pays all ad valorem taxes levied  
507 on the land upon which the dwelling is located. No family group  
508 or any other person qualified and defined in this article shall be  
509 allowed to establish more than one (1) home or homestead for the  
510 purpose and intent of this article.

511           (v) A dwelling and the eligible land on which it is  
512 located under a sublease of twenty (20) years or more on land  
513 leased pursuant to Section 1 of House Bill No. 1185, 2007 Regular  
514 Session, actually occupied as the home or homestead of a family or  
515 person as defined pursuant to this article. However, no such  
516 family group or any other person qualified and defined pursuant to  
517 this article shall be allowed to establish more than one (1) home  
518 or homestead for the purpose and intent of this article.

519           **SECTION 6.** This act shall take effect and be in force from  
520 and after its passage.