

REPORT OF CONFERENCE COMMITTEE

MADAM PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2385: Blighted property; authorize local governmental units to donate for private development.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

7 **SECTION 1.** Section 19-7-3, Mississippi Code of 1972, is
8 amended as follows:

9 19-7-3. (1) In case any of the real estate belonging to the
10 county shall cease to be used for county purposes, the board of
11 supervisors may sell, convey or lease the same on such terms as
12 the board may elect and may, in addition, exchange the same for
13 real estate belonging to any other political subdivision located
14 within the county. In case of a sale on a credit, the county
15 shall have a lien on the same for the purchase money, as against
16 all persons, until paid and may enforce the lien as in such cases
17 provided by law. The deed of conveyance in such cases shall be
18 executed in the name of the county by the president of the board
19 of supervisors, pursuant to an order of the board entered on its
20 minutes.

21 (2) (a) Before any lease, deed or conveyance is executed,
22 the board shall publish at least once each week for three (3)
23 consecutive weeks, in a public newspaper of the county in which
24 the land is located, or if no newspaper be published in said
25 county then in a newspaper having general circulation therein, the
26 intention to lease or sell, as the case may be, the county-owned
27 land and to accept sealed competitive bids for the leasing or

28 sale. The board shall thereafter accept bids for the lease or
29 sale and shall award the lease to the highest bidder in the manner
30 provided by law.

31 (b) The board of supervisors of any county may contract
32 for the professional services of a Mississippi-licensed real
33 estate broker to assist in the marketing and sale or lease of the
34 property for a reasonable commission, consistent with or lower
35 than the market rate, for services rendered to be paid from the
36 sale or lease proceeds.

37 (3) Whenever the board of supervisors shall find and
38 determine, by resolution duly and lawfully adopted and spread upon
39 its minutes (a) that any county-owned property is no longer needed
40 for county or related purposes and is not to be used in the
41 operation of the county, (b) that the sale of the property in the
42 manner otherwise provided by law is not necessary or desirable for
43 the financial welfare of the county, and (c) that the use of the
44 county property for the purpose for which it is to be sold,
45 conveyed or leased will promote and foster the development and
46 improvement of the community in which it is located and the civic,
47 social, educational, cultural, moral, economic or industrial
48 welfare thereof, the board of supervisors of such county shall be
49 authorized and empowered, in its discretion, to sell, convey,
50 lease, or otherwise dispose of same for any of the purposes set
51 forth herein.

52 (4) (a) In addition to such authority as is otherwise
53 granted under this section, the board of supervisors, in its
54 discretion, may sell, lease, or otherwise convey property to any
55 person or legal entity without public notice, without having to
56 advertise for and accept competitive bids and without appraisal,
57 with or without consideration, and on such terms and conditions as
58 the parties may agree if the board of supervisors finds and

59 determines, by resolution duly and lawfully adopted and spread
60 upon its official minutes:

61 (i) That the subject property is real property
62 acquired by the county:

63 1. By reason of a tax sale;

64 2. Because the property was abandoned or
65 blighted; or

66 3. In a proceeding to satisfy a county lien
67 against the property;

68 (ii) That the subject property is blighted and is
69 located in a blighted area;

70 (iii) That the subject property is not needed for
71 governmental or related purposes and is not to be used in the
72 operation of the county;

73 (iv) That the sale of the property in the manner
74 otherwise provided by law is not necessary or desirable for the
75 financial welfare of the county; and

76 (v) That the use of the property for the purpose
77 for which it is to be conveyed will promote and foster the
78 development and improvement of the community in which it is
79 located or the civic, social, educational, cultural, moral,
80 economic or industrial welfare thereof; the purpose for which the
81 property is conveyed shall be stated.

82 (b) All costs associated with a conveyance under this
83 subsection shall be paid by the person or entity to whom the
84 conveyance is made.

85 (c) Any deed or instrument of conveyance executed
86 pursuant to the authority granted under this subsection shall
87 contain a clause of reverter providing that title to the property
88 will revert to the county if the person or entity to whom the
89 property is conveyed does not fulfill the purpose for which the

90 property was conveyed and satisfy all conditions imposed on the
91 conveyance within two (2) years of the date of the conveyance.

92 (d) In any such deed or instrument of conveyance, the
93 county shall retain all mineral rights that it owns, together with
94 the right of ingress and egress to remove same.

95 (5) Nothing contained in this section shall be construed to
96 prohibit, restrict or to prescribe conditions with regard to the
97 authority granted under Section 17-25-3 or Section 57-75-37.

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

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 19-7-3, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY TO SELL, LEASE OR
3 OTHERWISE CONVEY SURPLUS COUNTY PROPERTY LOCATED IN A BLIGHTED
4 AREA, WITH OR WITHOUT CONSIDERATION, SUBJECT TO CERTAIN
5 CONDITIONS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

X (SIGNED)
Browning

X (SIGNED)
Michel

X (SIGNED)
Williamson

CONFEREES FOR THE HOUSE

X (SIGNED)
Robinson (63rd)

X (SIGNED)
Cummings

X (SIGNED)
Coleman (65th)