

## 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. 3048: School for the Blind property; authorize DFA to lease/provide homestead exemption.

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:

14        **SECTION 1.** (1) Acting on behalf of the Department of  
15 Education, the Mississippi Development Authority, subject to the  
16 provisions of subsection (6) and the approval of the Secretary of  
17 State, is authorized to lease for a period not to exceed sixty  
18 (60) years with an option to renew not to exceed twenty (20) years  
19 all of the land, formerly known as the "Old School for the Blind,"  
20 located north of Eastover Drive in the City of Jackson, Hinds  
21 County, Mississippi, and more particularly described as follows:

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

30        Run thence N 56°-46' W along said north line of said  
31 Eastover Drive for a distance of 3.02 feet to the P.C.  
32 of a curve to the left with a radius (chord) of 5769.65  
33 feet (angle of curve was omitted, 04°-00'-0r"); Run  
34 thence along said curve and said north line of Eastover

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

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

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

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

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

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

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

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

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

99           (6) There is created an oversight committee to the  
100 Mississippi Development Authority for the lease of the property  
101 described in subsection (1), which shall be composed of the  
102 following members:

103           (a) The respective chairmen of the Public Property  
104 Committees and Education Committees of the House of  
105 Representatives and the Senate;

106           (b) One (1) member of the House of Representatives who  
107 resides in Hinds County, to be appointed by the Speaker of the  
108 House; and

109           (c) One (1) member of the Senate who resides in Hinds  
110 County, to be appointed by the Lieutenant Governor.

111           Before selecting the private developer to which to lease the  
112 property described in subsection (1), and while negotiating the  
113 terms of the lease with the private developer that has been  
114 selected, the Mississippi Development Authority shall consult with  
115 the oversight committee and consider any suggestions and  
116 recommendations made by the oversight committee regarding the  
117 lease of the property. All members of the oversight committee  
118 shall be notified in writing of all meetings, such notices to be  
119 mailed at least five (5) days prior to the date on which a meeting  
120 is to be held. Members of the committee shall be paid from the  
121 contingent expense funds of their respective houses in the same  
122 manner as provided for committee meetings when the Legislature is  
123 not in session.

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

127           (2) At any time after the first fifteen (15) years of the  
128 term of any residential lease or sublease of Old School for the  
129 Blind Land, the then present lessee may obtain from the  
130 Mississippi Development Authority a new sixty-year lease on the

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

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

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

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

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

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

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

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

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

194           (b) The lessee may obtain an appraisal from a certified  
195 real estate appraiser establishing the fair market rental value of  
196 the land. If the fair market rental value of the land established  
197 in such appraisal differs from the fair market rental value of the  
198 land established in the appraisal obtained by the Mississippi  
199 Development Authority, the land shall not be leased for an amount  
200 less than the average of the fair market rental value established  
201 by the two (2) appraisals.

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

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

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

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

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

226 occupancy and use; and the words "joint owner," "joint tenant" or  
227 "joint tenancy" when used in this article shall include "tenant in  
228 common," "tenancy in common" and "estate in common," unless a  
229 different meaning is clearly indicated by the context.

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

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

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

255 (e) "Mississippi-Yazoo Delta Levee Board lands legally  
256 leased," meaning a legal lease of lands owned in fee title by the  
257 Mississippi-Yazoo Delta Levee Board, an agency of the State of



258 Mississippi, for a period of five (5) years or more, with the  
259 option of renewal for successive periods of five (5) years, to a  
260 person, individually or in joint tenancy, who is the head of a  
261 family and is entitled to and does occupy and use the property as  
262 a home, and who renders the property for assessment and pays the  
263 taxes thereon, as required by law. This exemption shall include  
264 all leases in existence that were entered into prior to July 1,  
265 1992.

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

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

289           (h) "A remainder interest in the dwelling and eligible  
290 land," meaning an interest held by the children of a testator in a  
291 dwelling and the eligible land on which it is located, created by  
292 the express terms of the will of the testator, in which the  
293 children of the testator are granted the use of property only upon  
294 the death or remarriage of the spouse of the testator or the  
295 occurrence of certain other contingencies and such dwelling and  
296 the eligible land on which it is located is assessed for taxation  
297 to the children of the testator and on which dwelling and eligible  
298 land the children of the testator pay the taxes thereon, as  
299 required by law.

300           (i) "Old School for the Blind land legally subleased,"  
301 meaning a legal sublease of land leased pursuant to Section 1 of  
302 Senate Bill No. 3048, 2007 Regular Session, subleased for twenty  
303 (20) years or more, the owner of which lease is a head of a family  
304 who is entitled to and does occupy and uses the property as a  
305 home, and who renders the property for assessment and pays the tax  
306 thereon, as required by law.

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

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

319           (a) One or more separate, bona fide dwellings and the  
320 land on which they are located, each occupied under eligible

321 ownership rights by the widow or the widower, or the children of a  
322 deceased parent, each separate home being property or a portion of  
323 property owned by a deceased person whose estate has not been  
324 distributed or divided or vested in a person or persons for life.  
325 But in each case the property for which exemption is sought may  
326 not be more than the applicant's inherited portion, and must be  
327 accurately described on the application and the conditions  
328 explained in writing. But the heirs may elect to accept one (1)  
329 homestead for the estate. The home occupied by the surviving  
330 spouse as provided by the laws of this state shall be preferred  
331 over the homes claimed by the children, and the exemption to any  
332 other heir shall not exceed the remaining amount obtained by  
333 deducting the assessed value of the surviving spouse's portion  
334 from the assessed value of the whole, divided by the number of  
335 heirs other than the surviving spouse. Each heir claiming  
336 exemption shall meet the requirements as to occupancy, residence  
337 and head of a family, and no part of the undivided inherited lands  
338 shall be combined with other lands and included in a homestead  
339 exemption under this article except in the case of the surviving  
340 spouse.

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

351 (c) A dwelling and eligible lands owned jointly or  
352 severally by a husband and wife, if they are actually and legally

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

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

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

385 of this section. If the dwelling and the eligible land on which  
386 it is located consists of not more than two (2) apartments and one  
387 (1) apartment is actually occupied as a home by the owner, the  
388 exemption shall be limited to one-half (1/2) the exemption granted  
389 pursuant to this article, or if the dwelling and land is owned by  
390 two (2) persons and the two (2) owners each occupy one (1)  
391 apartment as a home, the exemption shall be granted equally to  
392 each owner; provided revenue is not derived from any part of the  
393 property except as permitted by paragraphs (g) and (h) of this  
394 section.

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

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

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

415 (i) The dwelling and the eligible land on which it is  
416 located and other eligible land even though ownership of and title

417 to the dwelling and the land on which it is located has been  
418 conveyed to a housing authority for the purpose of obtaining the  
419 benefits of the Housing Authorities Law as authorized by Sections  
420 43-33-1 through 43-33-53 or related laws.

421 (j) A dwelling and the eligible land on which it is  
422 located owned by a person who is physically or mentally unable to  
423 care for himself and confined in an institution for treatment  
424 shall be eligible notwithstanding the absence of the owner unless  
425 the home is excluded under other provisions of this article. The  
426 exemption is available for a period of ten (10) years from the day  
427 of confinement.

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

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

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

449 to establish more than one (1) home or homestead for the purpose  
450 and intent of this article.

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

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

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

476 (q) A dwelling and the eligible land on which the  
477 spouse of a testator is granted the use of such dwelling for life  
478 or until the occurrence of certain contingencies and the children  
479 of such testator are granted a remainder interest in the dwelling  
480 and eligible land. Such dwelling and eligible land will only

481 qualify as a home or homestead if (i) the spouse of the testator  
482 would otherwise qualify as head of a family if the interest were a  
483 tenancy for life (life estate) and (ii) the dwelling and eligible  
484 land is actually occupied as the home of the spouse of the  
485 testator. The children of the testator shall be allowed to  
486 establish an additional homestead for purposes of this article.

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

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

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

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



513           (v) A dwelling and the eligible land on which it is  
514 located under a sublease of twenty (20) years or more on land  
515 leased pursuant to Section 1 of Senate Bill No. 3048, 2007 Regular  
516 Session, actually occupied as the home or homestead of a family or  
517 person as defined pursuant to this article. However, no such  
518 family group or any other person qualified and defined pursuant to  
519 this article shall be allowed to establish more than one (1) home  
520 or homestead for the purpose and intent of this article.

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

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

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

CONFEREES FOR THE SENATE

X (SIGNED)  
Jackson (32nd)

X (SIGNED)  
Robertson

X (SIGNED)  
Mettetal

CONFEREES FOR THE HOUSE

X (SIGNED)  
Weathersby

(NOT SIGNED)  
Coleman (65th)

X (SIGNED)  
Watson