

By: Senator(s) Brown, Pickering

To: Local and Private

SENATE BILL NO. 2003

1 AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF LOWNDES  
2 COUNTY, MISSISSIPPI, TO EXERCISE CERTAIN POWERS WITH REGARD TO  
3 CERTAIN PROJECTS DEFINED IN THE MISSISSIPPI MAJOR ECONOMIC IMPACT  
4 ACT; AND FOR RELATED PURPOSES.

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

6 SECTION 1. With regard to a project as defined in Section  
7 57-75-5(f)(xxii), the Board of Supervisors of Lowndes County,  
8 Mississippi, is authorized and empowered to exercise the following  
9 additional powers:

10 (a) To acquire by purchase, lease, gift or  
11 condemnation, including quick-take eminent domain pursuant to  
12 Sections 11-27-81 through 11-27-89, or obtain options to acquire,  
13 and to own, maintain, use, operate and convey any and all property  
14 of any kind, real, personal or mixed, or any interest or estate  
15 therein, including, but not limited to, leasehold interests,  
16 within the project site, necessary for the project. In acquiring  
17 lands by condemnation, including the exercise of quick-take  
18 eminent domain, for the project the Board of Supervisors of  
19 Lowndes County may acquire oil, gas and other minerals, mineral  
20 rights, including severed mineral leasehold interests, mineral  
21 rights and mineral royalty interests. The provisions of this  
22 paragraph (a) that allow the acquisition of property by quick-take  
23 eminent domain or condemnation shall be repealed by operation of  
24 law on July 1, 2012.

25 (b) To negotiate the necessary relocation or rerouting  
26 of roads and highways, railroad, telephone and telegraph lines and  
27 properties, electric power lines, pipelines and related  
28 facilities, cellular towers and related facilities, or to require



29 the anchoring or other protection of any of these, provided due  
30 compensation is paid to the owners thereof or agreement is had  
31 with such owners regarding the payment of the cost of such  
32 relocation, and to acquire by condemnation or otherwise easements  
33 or rights-of-way for such relocation or rerouting and to convey  
34 the same to the owners of the facilities being relocated or  
35 rerouted in connection with the purposes of the project.

36 (c) To negotiate the necessary relocation of graves and  
37 cemeteries and to pay all reasonable costs thereof as necessary  
38 for the project.

39 (d) To lease, sell or convey any or all property  
40 acquired by Lowndes County, its agencies or political  
41 subdivisions, to the enterprise owning or operating the project,  
42 its affiliates, successors or assigns, and in connection therewith  
43 to warrant title to pay the costs of title search, perfection of  
44 title, title insurance and recording fees as may be required for  
45 the project.

46 (e) To execute contractual agreements to warrant the  
47 project site for any and all preexisting environmental issues and  
48 to indemnify an enterprise owning or operating a project on that  
49 site for such preexisting environmental issues.

50 (f) To adopt and enforce all necessary and reasonable  
51 rules and regulations and restrictions to carry out and effectuate  
52 the implementation of the project concerning mining or any other  
53 activity the occurrence of which may endanger the structure or  
54 operation of the project. These rules may be enforced in Lowndes  
55 County within the project area and without the project area as  
56 necessary to protect the structure and operation of the project.

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

