

By: Senator(s) Hopson

To: Judiciary, Division A

SENATE BILL NO. 2239

1 AN ACT TO AMEND SECTION 29-3-92, MISSISSIPPI CODE OF 1972, TO
2 CLARIFY THE PROHIBITION AGAINST A SCHOOL DISTRICT UTILIZING THE
3 POWER OF EMINENT DOMAIN IN ORDER TO OBTAIN AN EASEMENT FOR ACCESS
4 TO SIXTEENTH SECTION LAND; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 29-3-92, Mississippi Code of 1972, is
7 amended as follows:

8 29-3-92. (1) The school board of a school district may
9 acquire, in the name of the district, by purchase, all easements
10 that are necessary and desirable for access to sixteenth section
11 lands or lieu lands. Whenever the purchase price for property on
12 which an easement is to be located is greater than Fifty Thousand
13 Dollars (\$50,000.00), the school board may not purchase the
14 property for an amount exceeding the fair market value of the
15 property, as determined by the average of at least two (2)
16 independent appraisals by certified general appraisers licensed by
17 the State of Mississippi.

18 (2) In no event shall eminent domain be used against any
19 private land owner by any local school board or local governing



20 authority to acquire easement access to sixteenth section lands or
21 lieu lands. * * *

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

