

By: Representative Bain

To: Public Property

HOUSE BILL NO. 807

1 AN ACT TO AMEND SECTION 37-7-477, MISSISSIPPI CODE OF 1972,  
 2 TO EXEMPT THE REQUIREMENT FOR AUTOMATIC REVERTERS IN TRANSACTIONS  
 3 RELATING TO THE CONVEYANCE OF SCHOOL PROPERTY WHEN THE UNITED  
 4 STATES IS THE ACQUIRING ENTITY OF SUCH PROPERTY; TO BRING FORWARD  
 5 SECTION 3-5-1, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF  
 6 POSSIBLE AMENDMENTS; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 37-7-477, Mississippi Code of 1972, is  
 9 amended as follows:

10 37-7-477. (1) Unless a school board retains a partial  
 11 interest, or undivided interest or other ownership interest in the  
 12 school property being conveyed, any instrument conveying or  
 13 leasing any school property under the provisions of Sections  
 14 37-7-471 through 37-7-483, shall provide that the title to such  
 15 property shall automatically revert to the school district, if  
 16 such property shall cease to be used for the purpose for which it  
 17 is conveyed or leased. Said instrument shall also contain the  
 18 condition that the grantee or lessee shall keep and maintain said  
 19 property in a good state of repair and shall keep said property  
 20 insured in a reasonable amount against loss by fire, windstorm and



21 other hazards. Upon breach of any of said conditions, the school  
22 board shall have the right of reentry upon said property as for  
23 condition broken and shall have the power and authority to bring  
24 and maintain such actions as shall be necessary and appropriate  
25 for such purpose in its own name. However, the provisions of this  
26 section shall not be mandatory in the event that the school board  
27 retains a partial interest, or undivided interest or other  
28 ownership interest in the school property being conveyed.

29 (2) The provisions of subsection (1) of this section shall  
30 not be applicable to any transaction of acquisition by the United  
31 States, by purchase, condemnation, conveyance or otherwise of any  
32 school property or any other real property possessed by the state  
33 as authorized by Section 3-5-1.

34 **SECTION 2.** Section 3-5-1, Mississippi Code of 1972, is  
35 brought forward as follows:

36 3-5-1. The consent of the State of Mississippi is given, in  
37 accordance with the 17th Clause, 8th Section, and of the 1st  
38 article of the Constitution of the United States, to the  
39 acquisition by the United States, by purchase, condemnation or  
40 otherwise, of any land in this state which has heretofore been or  
41 may hereafter be acquired for custom houses, post offices, or  
42 other public buildings.

43 **SECTION 3.** This act shall take effect and be in force from  
44 and after July 1, 2018.

