

By: Representative White

To: Municipalities

HOUSE BILL NO. 804

1 AN ACT TO AMEND SECTION 21-1-27, MISSISSIPPI CODE OF 1972, TO
2 EXTEND THE DATE OF THE REPEALERS ON THE PROVISIONS REQUIRING THE
3 GOVERNING AUTHORITIES OF CERTAIN MUNICIPALITIES TO CEDE CONTROL
4 OVER ZONING AND SUBDIVISION REGULATIONS TO THE BOARD OF
5 SUPERVISORS OF THE COUNTY IN WHICH THE TERRITORY TO BE ANNEXED IS
6 LOCATED IF A CERTAIN NUMBER OF PEOPLE RESIDING IN THE TERRITORY
7 ARE NOT INCLUDED IN THE PROPOSED ANNEXATION; AND FOR RELATED
8 PURPOSES.

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

10 **SECTION 1.** Section 21-1-27, Mississippi Code of 1972, is
11 amended as follows:

12 21-1-27. (1) The limits and boundaries of existing cities,
13 towns and villages shall remain as now established until altered
14 in the manner hereinafter provided. When any municipality shall
15 desire to enlarge or contract the boundaries thereof by adding
16 thereto adjacent unincorporated territory or excluding therefrom
17 any part of the incorporated territory of such municipality, the
18 governing authorities of such municipality shall pass an ordinance
19 defining with certainty the territory proposed to be included in
20 or excluded from the corporate limits, and also defining the
21 entire boundary as changed. In the event the municipality desires



22 to enlarge such boundaries, such ordinance shall in general terms
23 describe the proposed improvements to be made in the annexed
24 territory, the manner and extent of such improvements, and the
25 approximate time within which such improvements are to be made;
26 such ordinance shall also contain a statement of the municipal or
27 public services which such municipality proposes to render in such
28 annexed territory. In the event the municipality shall desire to
29 contract its boundaries, such ordinance shall contain a statement
30 of the reasons for such contraction and a statement showing
31 whereby the public convenience and necessity would be served
32 thereby.

33 (2) (a) When any municipality having a population in excess
34 of forty thousand (40,000) wherein is located a state-supported
35 university and in which U.S. Highways 49 and 11 intersect and
36 which has boundaries that lie within two (2) counties desires to
37 enlarge its boundaries by adding adjacent unincorporated territory
38 after January 1, 2016, the governing authorities of the
39 municipality shall pass, in addition to the requirements provided
40 in subsection (1), an ordinance:

41 (i) Certifying that more than fifty percent (50%)
42 of the people who reside in the unincorporated area of the census
43 block within the territory proposed to be annexed shall be
44 included in the proposed annexation; or

45 (ii) Certifying that upon approval of the
46 annexation, the municipality shall cede any authority to provide



47 zoning and subdivision regulation to the board of supervisors of
48 the county in which the territory is located, if fifty percent
49 (50%) or fewer people who reside in the unincorporated area of the
50 census block within such territory is included in the proposed
51 annexation. If such authority is ceded, as provided under this
52 subparagraph, then the governing authorities of the
53 municipality * * * are authorized to advise the board of
54 supervisors of the county concerning such regulation; however, the
55 ultimate authority regarding the regulation shall lie with the
56 board of supervisors of the county.

57 This subsection (2) shall stand repealed from and after July
58 1, * * * 2022.

59 (3) For the purposes of this section, "census block" refers
60 to certain geographic areas as designated by the latest federal
61 decennial census preceding any annexation under this section.

62 This subsection (3) shall stand repealed from and after July
63 1, * * * 2022.

64 **SECTION 2.** This act shall take effect and be in force from
65 and after July 1, 2019.

