

By: Representative McLeod

To: Conservation and Water Resources

HOUSE BILL NO. 1411  
(As Passed the House)

1 AN ACT TO CREATE NEW SECTION 51-15-108, MISSISSIPPI CODE OF  
2 1972, TO ALLOW COUNTIES OUTSIDE THE PAT HARRISON WATERWAY DISTRICT  
3 TO JOIN THE DISTRICT BY MEETING CERTAIN REQUIREMENTS; TO AMEND  
4 SECTIONS 51-15-103 AND 51-15-107, WHICH INCLUDE PROVISIONS  
5 RELATING TO REQUIREMENTS FOR COUNTIES WHO DESIRE TO JOIN THE PAT  
6 HARRISON WATERWAY DISTRICT, TO CONFORM TO THE PRECEDING  
7 PROVISIONS; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** The following shall be codified as Section  
10 51-15-108, Mississippi Code of 1972:

11 51-15-108. (1) A county that is not a part of the Pat  
12 Harrison Waterway District and is described in subsection (2) of  
13 this section may join the district by, with unanimous resolution  
14 of the board of supervisors of such county, filing a petition, as  
15 provided in Section 51-15-107, in the Chancery Court of Forrest  
16 County, Mississippi, and conforming to the requirements as  
17 provided in Sections 51-15-103 through 51-15-118.

18 (2) A county in which the Pascagoula River, Leaf River,  
19 Chickasawhay River or Tallahala Creek are located, or a county



20 having tributaries to such streams or that borders on such  
21 streams, may join the Pat Harrison Waterway District.

22 **SECTION 2.** Section 51-15-103, Mississippi Code of 1972, is  
23 amended as follows:

24 51-15-103. (1) The Pat Harrison Waterway Commission  
25 may \* \* \* be organized in this state in the manner provided for  
26 under the provisions of this article \* \* \*. This water management  
27 district shall be an agency of the state and a body politic and  
28 corporate, and may be composed and is composed of the following  
29 counties \* \* \*: Clarke, Covington, \* \* \* George, Greene,  
30 Jackson, \* \* \* Jones, \* \* \* Lauderdale, Newton, Perry, Smith,  
31 Stone and Wayne.

32 (2) A county that desires to be included in the Pat Harrison  
33 Waterway District, after the original formation of the district,  
34 may join the district in the manner provided for in Section  
35 51-15-108.

36 **SECTION 3.** Section 51-15-107, Mississippi Code of 1972, is  
37 amended as follows:

38 51-15-107. (1) The Pat Harrison Waterway Commission, acting  
39 through its members who favor bringing the counties they represent  
40 into the Pat Harrison Waterway District, or other counties having  
41 Pascagoula River, Leaf River, Chickasawhay River, or Tallahala  
42 Creek tributaries, shall, with unanimous resolution of the board  
43 of supervisors of such county, petition the chancery court of



44 Forrest County, Mississippi, to organize and establish the Pat  
45 Harrison Waterway District, and shall set forth in the petition:

46 ( \* \* \*a) The counties to be included in the Pat  
47 Harrison Waterway District \* \* \*;

48 ( \* \* \*b) The necessity and desirability for the  
49 developments and construction of suitable facilities \* \* \*;

50 ( \* \* \*c) A general description of the purposes of the  
51 contemplated works, and a general description of the plan.

52 The petition shall be filed with as many copies as there are  
53 parties defendant.

54 The board of water commissioners of the State of Mississippi  
55 shall be made a party defendant, and the chancery clerk shall  
56 furnish the board \* \* \* with a copy of the petition with attached  
57 exhibits. Each county named in the petition shall be joined as a  
58 party defendant by service of process on the president of the  
59 board of supervisors thereof, and the chancery clerk shall furnish  
60 a copy of the petition to each such president. \* \* \* A  
61 municipality that is located in a county \* \* \* to be included in  
62 the district, having a population \* \* \* of ten thousand (10,000)  
63 or more \* \* \* according to the most recent federal decennial  
64 census, shall be made a party defendant.

65 \* \* \* Landowners who are located in the counties to be  
66 included in \* \* \* the district are not required to be made \* \* \*  
67 party defendants, or be named in the petition. The chancellor of  
68 the Chancery Court of Forrest County, Mississippi, shall have



69 jurisdiction of the entire waterway district for the purposes of  
70 this article \* \* \*, and this jurisdiction may be exercised \* \* \*  
71 in term time or in vacation, as provided in this article.

72 (2) A county that desires to be included in the Pat Harrison  
73 Waterway District, after the original formation of the district,  
74 may join the district in the manner provided for in Section  
75 51-15-108.

76 **SECTION 4.** This act shall take effect and be in force from  
77 and after July 1, 2019, and shall stand repealed on June 30, 2019.

