

By: Representative McLeod

To: Conservation and Water  
Resources; Appropriations

## HOUSE BILL NO. 1345

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, MISSISSIPPI CODE OF 1972, WHICH  
5 INCLUDE PROVISIONS RELATING TO REQUIREMENTS FOR COUNTIES WHO  
6 DESIRE TO JOIN THE PAT HARRISON WATERWAY DISTRICT, TO CONFORM TO  
7 THE PRECEDING 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, with a unanimous resolution  
14 adopted by the board of supervisors of such county, by filing a  
15 petition, as provided in Section 51-15-107, in the Chancery Court  
16 of Forrest County, Mississippi, and conforming to the requirements  
17 as 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 petition the chancery court of Forrest  
43 County, Mississippi, to organize and establish the Pat Harrison  
44 Waterway District, and shall set forth in the petition:



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

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

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

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

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

\* \* \* Landowners who are located in the counties to be  
included in \* \* \* the district are not required to be made \* \* \*  
party defendants, or be named in the petition. The chancellor of  
the Chancery Court of Forrest County, Mississippi, shall have  
jurisdiction of the entire waterway district for the purposes of



69 this article \* \* \*, and this jurisdiction may be exercised \* \* \*  
70 in term time or in vacation, as provided in this article.

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

75 **SECTION 4.** This act shall take effect and be in force from  
76 and after July 1, 2020.

