

House Amendments to Senate Bill No. 2261

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

20 **SECTION 1.** Section 19-5-105, Mississippi Code of 1972, is
21 amended as follows:
22 19-5-105. (1) To determine whether property or a parcel of
23 land located within a county is in such a state of uncleanliness
24 as to be a menace to the public health, safety and welfare of the
25 community, the board of supervisors of any county is authorized
26 and empowered to conduct a hearing on its own motion, or upon the
27 receipt of a petition requesting the board of supervisors to act
28 signed by a majority of the residents eighteen (18) years of age
29 or older, residing upon any street or alley, within reasonable
30 proximity of any property alleged to be in need of cleaning, or
31 within seven hundred fifty (750) feet of the precise location of
32 the alleged menace situated on any parcel of land which is located
33 in a populated area or in a housing subdivision and alleged to be
34 in need of cleaning.

35 Notice shall be provided to the property owner by:

36 (a) United States mail two (2) weeks before the date of
37 the hearing mailed to the address of the subject property and to
38 the address where the ad valorem tax notice for such property is
39 sent by the office charged with collecting ad valorem tax; and

40 (b) Posting notice for at least two (2) weeks before
41 the date of a hearing on the property or parcel of land alleged to
42 be in need of cleaning and at the county courthouse or another
43 place in the county where such notices are posted.

44 The notice required by this subsection (1) shall include
45 language that informs the property owner that an adjudication at
46 the hearing that the property or parcel of land is in need of
47 cleaning will authorize the board of supervisors to reenter the
48 property or parcel of land for a period of one (1) year after the
49 hearing without any further hearing, if notice is posted on the
50 property or parcel of land and at the county courthouse or another
51 place in the county where such notices are generally posted at
52 least seven (7) days before the property or parcel of land is
53 reentered for cleaning. A copy of the required notice mailed and
54 posted as required by this subsection (1) shall be recorded in the
55 minutes of the board of supervisors in conjunction with the
56 hearing required by this subsection.

57 If at such hearing the board of supervisors shall in its
58 resolution adjudicate such parcel of land in its then condition to
59 be a menace to the public health and safety of the community, the
60 board of supervisors may, if the owner not do so himself, proceed
61 to have the land cleaned by cutting weeds, filling cisterns, and

62 removing rubbish, dilapidated fences, outside toilets, dilapidated
63 buildings and other debris, and draining cesspools and standing
64 water. Thereafter, the board of supervisors may at its next
65 regular meeting by resolution adjudicate the actual cost of
66 cleaning the land and may also impose a penalty not to exceed One
67 Thousand Five Hundred Dollars (\$1,500.00) or fifty percent (50%)
68 of the actual cost, whichever is more. The cost and any penalty
69 shall become an assessment against the property. The "cost
70 assessed against the property" means either the cost to the county
71 of using its own employees to do the work or the cost to the
72 county of any contract executed by the county to have the work
73 done, and administrative costs and legal costs of the county.

74 A county may reenter the property or parcel of land to
75 maintain cleanliness without further notice of hearing no more
76 than six (6) times in any twelve-month period with respect to
77 removing dilapidated buildings, dilapidated fences and outside
78 toilets, and no more than twelve (12) times in any
79 twenty-four-month period with respect to cutting grass and weeds
80 and removing rubbish, personal property and other debris on the
81 land. The expense of cleaning the property shall not exceed an
82 aggregate amount of Twenty Thousand Dollars (\$20,000.00) per year,
83 or the fair market value of the property subsequent to cleaning,
84 whichever is less. The board of supervisors may assess the same
85 penalty each time the property or land is cleaned as otherwise
86 provided in this subsection (1).

87 The penalty provided * * * in this subsection (1) shall not
88 be assessed against the State of Mississippi upon request for
89 reimbursement under Section 29-1-145, nor shall a county clean a
90 parcel owned by the State of Mississippi without first giving
91 notice.

92 The assessment authorized by this subsection (1) shall be a
93 lien against the property and may be enrolled in the office of the
94 circuit clerk of the county as other judgments are enrolled, and
95 the tax collector of the county shall, upon order of the board of
96 supervisors, proceed to sell the land to satisfy the lien as now
97 provided by law for the sale of lands for delinquent taxes.
98 Furthermore, the property owner whose land has been sold pursuant
99 to this subsection (1) shall have the same right of redemption as
100 now provided by law for the sale of lands for delinquent taxes.
101 All decisions rendered under the provisions of this subsection may
102 be appealed in the same manner as other appeals from county
103 boards.

104 (2) (a) If private property or a parcel of land located
105 within a county is a perpetual care cemetery subject to Section
106 41-43-1 et seq., the board of supervisors of the county may
107 proceed pursuant to the same provisions of subsection (1) of this
108 section used to determine whether a property is a public health
109 menace to instead determine if the perpetual care cemetery and all
110 structures on the cemetery are not being properly maintained and
111 have become detrimental to the public health and welfare. A
112 perpetual care cemetery that is "not being properly maintained and

113 has become detrimental to the public health and welfare" means a
114 perpetual care cemetery that shows signs of neglect, including,
115 without limitation, the unchecked growth of vegetation, repeated
116 and unchecked acts of vandalism, unusable entrances and exits,
117 excess rubbish or debris, or the disintegration of grave markers
118 or boundaries. Upon notice and opportunity to be heard as
119 provided in subsection (1) of this section, the board of
120 supervisors of the county may adjudicate the property or parcel of
121 land in its then condition to be not properly maintained and
122 detrimental to the public health and welfare, and if the owner
123 does not do so itself, may proceed to clean the property or parcel
124 of land as provided in subsection (1) of this section. When
125 cleaning the property or parcel of land of a perpetual care
126 cemetery pursuant to this subsection (2), the penalty or penalties
127 provided in subsection (1) of this section shall not be assessed
128 against owners of the perpetual care cemeteries.

129 (b) The board of supervisors of a county that cleans
130 property or parcel of land of a perpetual care cemetery pursuant
131 to this subsection (2) may make application to the Secretary of
132 State for an order directing the trustee of the perpetual care
133 cemetery trust fund to release accrued interest or principal of
134 the trust fund sufficient to reimburse the county for only the
135 actual cleanup costs incurred by the county. The application to
136 the Secretary of State shall include a statement by the county
137 that all of the requirements of this section have been met.

138 (c) If the Secretary of State is satisfied that the
139 notice and hearing requirements of this section have been met, and
140 that the application for an order directing the trustee to release
141 accrued interest of the perpetual care cemetery trust fund does
142 not threaten the ability of the trust fund to provide for the care
143 and maintenance of the cemetery, the Secretary of State may order
144 the trustee to release accrued interest of the trust fund
145 sufficient to reimburse the county for the actual costs of cleanup
146 performed by the county.

147 (d) If the Secretary of State is satisfied that the
148 notice and hearing requirements of this section have been met, but
149 makes a determination that the accrued interest of the perpetual
150 care cemetery trust fund is insufficient to reimburse the county
151 for the actual costs of cleanup performed by the county, or that
152 an order to release accrued interest would threaten the ability of
153 the trust fund to provide for the care and maintenance of the
154 cemetery, the Secretary of State may consider an order directing
155 the trustee to reimburse the county from the principal of the
156 trust fund. If the Secretary of State determines that an order to
157 the trustee to release principal from the trust fund will not
158 threaten the solvency of the trust fund, the Secretary of State
159 may order the trustee to release principal of the trust fund in an
160 amount sufficient to reimburse the county for the actual costs of
161 cleanup performed by the county.

162 **SECTION 2.** Section 21-19-11, Mississippi Code of 1972, is
163 amended as follows:

164 21-19-11. (1) To determine whether property or parcel of
165 land located within a municipality is in such a state of
166 uncleanliness as to be a menace to the public health, safety and
167 welfare of the community, a governing authority of any
168 municipality shall conduct a hearing, on its own motion, or upon
169 the receipt of a petition signed by a majority of the residents
170 residing within four hundred (400) feet of any property or parcel
171 of land alleged to be in need of the cleaning. Notice shall be
172 provided to the property owner by:

173 (a) United States mail two (2) weeks before the date of
174 the hearing mailed to the address of the subject property, except
175 where the land or structure(s) is apparently vacant, and to the
176 address where the ad valorem tax notice for such property is sent
177 by the office charged with collecting ad valorem tax; and

178 (b) Posting notice for at least two (2) weeks before
179 the date of a hearing on the property or parcel of land alleged to
180 be in need of cleaning and at city hall or another place in the
181 municipality where such notices are posted.

182 Any notice required by this section shall include language
183 that informs the property owner that an adjudication at the
184 hearing that the property or parcel of land is in need of cleaning
185 will authorize the municipality to reenter the property or parcel
186 of land for a period of two (2) years after final adjudication
187 without any further hearing if notice is posted on the property or
188 parcel of land and at city hall or another place in the
189 municipality where such notices are generally posted at least

190 seven (7) days before the property or parcel of land is reentered
191 for cleaning. A copy of the required notice mailed and posted as
192 required by this section shall be recorded in the minutes of the
193 governing authority in conjunction with the hearing required by
194 this section.

195 If, at such hearing, the governing authority shall adjudicate
196 the property or parcel of land in its then condition to be a
197 menace to the public health, safety and welfare of the community,
198 the governing authority, if the owner does not do so himself,
199 shall proceed to clean the land, by the use of municipal employees
200 or by contract, by cutting grass and weeds; filling cisterns;
201 removing rubbish, abandoned or dilapidated fences, outside
202 toilets, abandoned or dilapidated buildings, slabs, personal
203 property, which removal of personal property shall not be subject
204 to the provisions of Section 21-39-21, and other debris; and
205 draining cesspools and standing water therefrom. The governing
206 authority may by resolution adjudicate the actual cost of cleaning
207 the property and may also impose a penalty not to exceed One
208 Thousand Five Hundred Dollars (\$1,500.00) or fifty percent (50%)
209 of the actual cost, whichever is more. The cost and any penalty
210 may become a civil debt against the property owner, and/or, at the
211 option of the governing authority, an assessment against the
212 property. The "cost assessed against the property" means either
213 the cost to the municipality of using its own employees to do the
214 work or the cost to the municipality of any contract executed by
215 the municipality to have the work done, and administrative costs

216 and legal costs of the municipality. For subsequent cleaning
217 within the one-year period after the date of the hearing at which
218 the property or parcel of land was adjudicated in need of
219 cleaning, upon seven (7) days' notice posted both on the property
220 or parcel of land adjudicated in need of cleaning and at city hall
221 or another place in the municipality where such notices are
222 generally posted, and consistent with the municipality's
223 adjudication as authorized in this subsection (1), a municipality
224 may reenter the property or parcel of land to maintain cleanliness
225 without further notice or hearing no more than six (6) times in
226 any twelve-month period with respect to removing abandoned or
227 dilapidated buildings, slabs, dilapidated fences and outside
228 toilets, and no more than twelve (12) times in any
229 twenty-four-month period with respect to cutting grass and weeds
230 and removing rubbish, personal property and other debris on the
231 land, and the expense of cleaning of the property, except as
232 otherwise provided in this section for removal of hazardous
233 substances, shall not exceed an aggregate amount of Twenty
234 Thousand Dollars (\$20,000.00) per year, or the fair market value
235 of the property subsequent to cleaning, whichever is more. The
236 aggregate cost of removing hazardous substances will be the actual
237 cost of such removal to the municipality and shall not be subject
238 to the Twenty Thousand Dollars (\$20,000.00) limitation provided in
239 this subsection. The governing authority may assess the same
240 penalty for each time the property or land is cleaned as otherwise
241 provided in this section. The penalty provided herein shall not

242 be assessed against the State of Mississippi upon request for
243 reimbursement under Section 29-1-145, nor shall a municipality
244 clean a parcel owned by the State of Mississippi without first
245 giving notice. Upon written authority from the Secretary of
246 State's office, for state-owned properties, a municipality may
247 forgo the notification process that is prescribed in this
248 subsection and proceed to clean the properties and assess costs as
249 prescribed in this subsection, except that penalties shall not be
250 assessed against the State of Mississippi.

251 (2) When the fee or cost to clean property or a parcel of
252 land that is one (1) acre or less does not exceed Two Hundred
253 Fifty Dollars (\$250.00), excluding administrative costs, and the
254 property or parcel is located within a municipality having a
255 population over one thousand five hundred (1,500), the governing
256 authority of the municipality may authorize one or more of its
257 employees to determine whether the property or parcel of land is
258 in such a state of uncleanliness as to be a menace to the public
259 health, safety and welfare of the community and the determination
260 made by the authorized municipal employee shall be set forth and
261 recorded in the minutes of the governing authority. Notice of
262 this determination shall be provided to the property owner by:

263 (a) United States mail seven (7) days before the date
264 of cleaning of the property or parcel of land mailed to the
265 address of the subject property, except where the land or
266 structure(s) is apparently vacant, and to the address where the ad

267 valorem tax notice for such property is sent by the office charged
268 with collecting ad valorem tax; and

269 (b) Posting notice for at least seven (7) days before
270 the cleaning of the property or parcel of land and at city hall or
271 another place in the municipality where such notices are posted.

272 Any notice required by this subsection shall include language
273 that informs the property owner that the appropriate municipal
274 official has determined that the property or parcel of land is a
275 menace to the public health, safety and welfare of the community
276 and in need of cleaning and the municipality is authorized to
277 enter the property for cleaning and that the municipality is
278 further authorized to reenter the property or parcel of land for a
279 period of two (2) years after this cleaning without any further
280 hearing or action if notice is posted on the property or parcel of
281 land and at city hall or another place in the municipality where
282 such notices are generally posted at least seven (7) days before
283 the property or parcel of land is reentered for cleaning. A copy
284 of the required notice mailed and posted as required by this
285 subsection shall be recorded in the minutes of the governing
286 authority in conjunction with the determination made by the
287 municipal employee in this subsection (2).

288 If an authorized municipal employee determines that the
289 condition of property or parcel of land is a menace to the public
290 health, safety and welfare of the community, the governing
291 authority, if the owner does not do so himself, shall proceed to
292 clean the land, by the use of municipal employees or by contract,

293 by cutting grass and weeds; filling cisterns; removing rubbish,
294 abandoned or dilapidated fences, outside toilets, abandoned or
295 dilapidated buildings, slabs, personal property, which removal of
296 personal property shall not be subject to the provisions of
297 Section 21-39-21, and other debris; and draining cesspools and
298 standing water therefrom. The governing authority shall by
299 resolution adjudicate the actual cost of cleaning the property
300 under this provision, provided the same does not exceed Two
301 Hundred Fifty Dollars (\$250.00) and may also impose a penalty not
302 to exceed One Hundred Dollars (\$100.00) or one hundred percent
303 (100%) of the actual cost of cleaning the property, whichever is
304 more. The cost and any penalty imposed may become a civil debt
305 against the property owner, and/or, at the option of the governing
306 authority, an assessment against the property. The "cost assessed
307 against the property" means either the cost to the municipality of
308 using its own employees to do the work or the cost to the
309 municipality of any contract executed by the municipality to have
310 the work done, and additionally may include administrative costs
311 of the municipality not to exceed Fifty Dollars (\$50.00). For
312 subsequent cleaning within the one-year period set forth in this
313 subsection (2), upon seven (7) days' notice posted both on the
314 property or parcel of land adjudicated in need of cleaning and at
315 city hall or another place in the municipality where such notices
316 are generally posted, and consistent with the municipal official's
317 determination as authorized in this subsection (2), a municipality
318 may reenter the property or parcel of land to maintain cleanliness

319 without further notice or hearing under this subsection (2) no
320 more than six (6) times in any twelve-month period with respect to
321 removing abandoned or dilapidated buildings, slabs, dilapidated
322 fences and outside toilets, and no more than twelve (12) times in
323 any twenty-four-month period with respect to cutting grass and
324 weeds and removing rubbish, personal property and other debris on
325 the land, and the expense of cleaning of the property shall not
326 exceed an aggregate amount of One Thousand Dollars (\$1,000.00) per
327 year under this subsection (2). The governing authority may
328 assess the same actual costs, administrative costs and penalty for
329 each time the property or land is cleaned as otherwise provided in
330 this subsection (2). The penalty provided herein shall not be
331 assessed against the State of Mississippi upon request for
332 reimbursement under Section 29-1-145, nor shall a municipality
333 clean a parcel owned by the State of Mississippi without first
334 giving notice. Upon written authority from the Secretary of
335 State's office, for state-owned properties, a municipality may
336 forgo the notification process that is prescribed in this
337 subsection and proceed to clean the properties and assess costs as
338 prescribed in this subsection, except that penalties shall not be
339 assessed against the State of Mississippi. A determination made
340 by an appropriate municipal employee under this subsection (2)
341 that the state or condition of property or a parcel of land is a
342 menace to the public health, safety and welfare of the community
343 shall not subsequently be used to replace a hearing if subsection

344 (1) of this section is later utilized by a municipality when the
345 prerequisites of this subsection (2) are not satisfied.

346 (3) If the governing authority declares, by resolution, that
347 the cost and any penalty shall be collected as a civil debt, the
348 governing authority may authorize the institution of a suit on
349 open account against the owner of the property in a court of
350 competent jurisdiction in the manner provided by law for the cost
351 and any penalty, plus court costs, reasonable attorney's fees and
352 interest from the date that the property was cleaned.

353 (4) (a) If the governing authority declares that the cost
354 and any penalty shall be collected as an assessment against the
355 property, then the assessment above provided for shall be a lien
356 against the property and may be enrolled in the office of the
357 chancery clerk of the county as other liens and encumbrances are
358 enrolled, and the tax collector of the municipality shall, upon
359 order of the board of governing authorities, proceed to sell the
360 land to satisfy the lien as now provided by law for the sale of
361 lands for delinquent municipal taxes. The lien against the
362 property shall be an encumbrance upon the property and shall
363 follow title of the property.

364 (b) (i) All assessments levied under the provisions of
365 this section shall be included with municipal ad valorem taxes and
366 payment shall be enforced in the same manner in which payment is
367 enforced for municipal ad valorem taxes, and all statutes
368 regulating the collection of other taxes in a municipality shall
369 apply to the enforcement and collection of the assessments levied

370 under the provisions of this section, including utilization of the
371 procedures authorized under Sections 17-13-9(2) and 27-41-2.

372 (ii) All assessments levied under the provisions
373 of this section shall become delinquent at the same time municipal
374 ad valorem taxes become delinquent. Delinquencies shall be
375 collected in the same manner and at the same time delinquent ad
376 valorem taxes are collected and shall bear the same penalties as
377 those provided for delinquent taxes. If the property is sold for
378 the nonpayment of an assessment under this section, it shall be
379 sold in the manner that property is sold for the nonpayment of
380 delinquent ad valorem taxes. If the property is sold for
381 delinquent ad valorem taxes, the assessment under this section
382 shall be added to the delinquent tax and collected at the same
383 time and in the same manner.

384 (5) All decisions rendered under the provisions of this
385 section may be appealed in the same manner as other appeals from
386 municipal boards or courts are taken. However, an appeal from a
387 decision of a municipal officer or official shall be made to the
388 governing authority and such appeal shall be in writing, state the
389 basis for the appeal and be filed with the city clerk no later
390 than seven (7) days from the latest date of notice required under
391 this section.

392 (6) Nothing contained under this section shall prevent any
393 municipality from enacting criminal penalties for failure to
394 maintain property so as not to constitute a menace to public
395 health, safety and welfare.

396 (7) (a) If private property or a parcel of land located
397 within a municipality is a perpetual care cemetery subject to
398 Section 41-43-1 et seq., the governing authority of the
399 municipality may proceed pursuant to the same provisions of this
400 section used to determine whether a property is a public health
401 menace to instead determine if the perpetual care cemetery and all
402 structures on the cemetery are not being properly maintained and
403 have become detrimental to the public health and welfare. A
404 perpetual care cemetery that is "not being properly maintained and
405 has become detrimental to the public health and welfare" means a
406 perpetual care cemetery that shows signs of neglect, including,
407 without limitation, the unchecked growth of vegetation, repeated
408 and unchecked acts of vandalism, unusable entrances and exits,
409 excess rubbish or debris, or the disintegration of grave markers
410 or boundaries. Upon notice and opportunity to be heard as
411 provided in subsection (1) of this section, the governing
412 authority of the municipality may adjudicate the property or
413 parcel of land in its then condition to be not properly maintained
414 and detrimental to the public health and welfare, and if the owner
415 does not do so itself, may proceed to clean the property or parcel
416 of land as provided in subsection (1) of this section. When
417 cleaning the property or parcel of land of a perpetual care
418 cemetery pursuant to this subsection (7), the penalty or penalties
419 provided in subsection (1) of this section shall not be assessed
420 against owners of the perpetual care cemeteries.

421 (b) The governing authority of a municipality that
422 cleans the property or parcel of land of a perpetual care cemetery
423 pursuant to this subsection (7) may make application to the
424 Secretary of State for an order directing the trustee of the
425 perpetual care cemetery trust fund to release accrued interest or
426 principal of the trust fund sufficient to reimburse the
427 municipality for only the actual cleanup costs incurred by the
428 municipality. The application to the Secretary of State shall
429 include a statement by the municipality that all of the
430 requirements of this section have been met.

431 (c) If the Secretary of State is satisfied that the
432 notice and hearing requirements of this section have been met, and
433 that the application for an order directing the trustee to release
434 accrued interest of the perpetual care cemetery trust fund does
435 not threaten the ability of the trust fund to provide for the care
436 and maintenance of the cemetery, the Secretary of State may order
437 the trustee to release accrued interest of the trust fund
438 sufficient to reimburse the municipality for the actual costs of
439 cleanup performed by the municipality.

440 (d) If the Secretary of State is satisfied that the
441 notice and hearing requirements of this section have been met, but
442 makes a determination that the accrued interest of the perpetual
443 care cemetery trust fund is insufficient to reimburse the
444 municipality for the actual costs of cleanup performed by the
445 municipality, or that an order to release accrued interest would
446 threaten the ability of the trust fund to provide for the care and

447 maintenance of the cemetery, the Secretary of State may consider
448 an order directing the trustee to reimburse the municipality from
449 the principal of the trust fund. If the Secretary of State
450 determines that an order to the trustee to release principal from
451 the trust fund will not threaten the solvency of the trust fund,
452 the Secretary of State may order the trustee to release principal
453 of the trust fund in an amount sufficient to reimburse the
454 municipality for the actual costs of cleanup performed by the
455 municipality.

456 **SECTION 3.** Section 41-43-57, Mississippi Code of 1972, is
457 amended as follows:

458 41-43-57. (1) In exceptional circumstances only, a perpetual
459 care owner can make an application to the Secretary of State for
460 an order directing the trustee to release trust principal for the
461 extended care, maintenance or improvements to the perpetual care
462 cemetery for which interest funds are insufficient. Before
463 issuing such an order, the Secretary of State shall satisfy
464 himself that the request is for a major capital expenditure that
465 will advance the perpetual care life of the cemetery without undue
466 risk to the solvency of the perpetual care trust fund. Consistent
467 with this section, this shall be the only instance in which a
468 perpetual care trust corpus may be utilized for cemetery
469 maintenance and improvements. In the consideration of the
470 application, the Secretary of State may require the production of
471 any records deemed necessary and relevant to the cemetery's
472 application for a major capital expenditure.

473 (2) In addition the authority provided under subsection (1)
474 of this section, subject to the provisions of Section 19-5-105(2)
475 or 21-19-11(7), the board of supervisors of a county or the
476 governing authority of a municipality also may make application to
477 the Secretary of State for an order directing the trustee to
478 release either accrued interest or principal of the trust fund for
479 reimbursement to the county or municipality for the actual costs
480 of cleanup performed by the county or municipality.

481 **SECTION 4.** This act shall take effect and be in force from
482 and after July 1, 2021.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTIONS 19-5-105 AND 21-19-11, MISSISSIPPI
2 CODE OF 1972, TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO CLEAN
3 PROPERTY OR PARCELS OF LAND OF PERPETUAL CARE CEMETERIES THAT ARE
4 NOT BEING PROPERLY MAINTAINED AND HAVE BECOME DETRIMENTAL TO THE
5 PUBLIC HEALTH AND WELFARE; TO PRESCRIBE NOTICE AND HEARING
6 REQUIREMENTS AND AN ADJUDICATION BY THE COUNTY OR MUNICIPALITY
7 BEFORE IT MAY CLEAN THE PROPERTY; TO AUTHORIZE THE COUNTY OR
8 MUNICIPALITY TO MAKE APPLICATION TO THE SECRETARY OF STATE FOR AN
9 ORDER DIRECTING THE TRUSTEE OF THE PERPETUAL CARE CEMETERY TRUST
10 FUND TO RELEASE ACCRUED INTEREST OR PRINCIPAL OF THE TRUST FUND
11 SUFFICIENT TO REIMBURSE THE COUNTY OR MUNICIPALITY FOR ONLY THE
12 ACTUAL CLEANUP COSTS INCURRED; TO AUTHORIZE THE SECRETARY OF STATE
13 TO ORDER THE TRUSTEE TO RELEASE ACCRUED INTEREST OR PRINCIPAL OF
14 THE TRUST FUND IN AN AMOUNT SUFFICIENT TO REIMBURSE THE COUNTY OR
15 MUNICIPALITY FOR THE ACTUAL COSTS OF CLEANUP PERFORMED IF THE
16 SECRETARY OF STATE MAKES CERTAIN DETERMINATIONS; TO AMEND SECTION
17 41-43-57, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING
18 PROVISIONS; AND FOR RELATED PURPOSES.

HR43\SB2261A.J

Andrew Ketchings
Clerk of the House of Representatives