

By: Representatives Bain, White, Newman,
Owen

To: Judiciary A

HOUSE BILL NO. 975

1 AN ACT TO PROVIDE THAT NO PROPERTY ACQUIRED BY THE EXERCISE
2 OF THE POWER OF EMINENT DOMAIN UNDER THE LAWS OF THE STATE OF
3 MISSISSIPPI SHALL, FOR A PERIOD OF TEN YEARS AFTER ITS
4 ACQUISITION, BE TRANSFERRED OR ANY INTEREST THEREIN TRANSFERRED TO
5 ANY PERSON, NONGOVERNMENTAL ENTITY, PUBLIC-PRIVATE PARTNERSHIP,
6 CORPORATION, OR OTHER BUSINESS ENTITY WITH THE FOLLOWING
7 EXCEPTIONS; TO PROVIDE EXCEPTIONS FOR DRAINAGE AND LEVEE
8 FACILITIES AND OTHER LIMITED CONDITIONS; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** No property acquired by the exercise of the power
11 of eminent domain under the laws of the State of Mississippi
12 shall, for a period of ten (10) years after its acquisition, be
13 transferred or any interest therein transferred to any person,
14 nongovernmental entity, public-private partnership, corporation,
15 or other business entity with the following exceptions:

16 (a) The above provisions shall not apply to drainage
17 and levee facilities and usage, roads and bridges for public
18 conveyance, flood control projects with a levee component,
19 seawalls, dams, toll roads, public airports, public ports, public
20 harbors, public wayports, common carriers or facilities for public
21 utilities and other entities used in the generations,



22 transmission, storage or distribution of telephone,
23 telecommunication, gas, carbon dioxide, electricity, water, sewer,
24 natural gas, liquid hydrocarbons or other utility products.

25 (b) The above provisions shall not apply where the use
26 of eminent domain (i) removes a public nuisance; (ii) removes a
27 structure that is beyond repair or unfit for human habitation or
28 use; (iii) is used to acquire abandoned property; or (iv)
29 eliminates a direct threat to public health or safety caused by
30 the property in its current condition.

31 **SECTION 2.** This act shall take effect and be in force from
32 and after July 1, 2022.

