

By: Representative Bennett

To: Public Property

HOUSE BILL NO. 1247
(As Passed the House)

1 AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF THE STATE
2 INSTITUTIONS OF HIGHER LEARNING, ACTING BY AND THROUGH THE
3 UNIVERSITY OF SOUTHERN MISSISSIPPI, TO LEASE AND SUBLEASE PROPERTY
4 ADMINISTERED BY THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT;
5 TO AUTHORIZE THE UNIVERSITY TO NEGOTIATE ALL ASPECTS OF ANY LEASE
6 AND SUBLEASE PERTAINING TO SUCH PROPERTY; TO PROVIDE THE MAXIMUM
7 TERM OF THESE LEASES AND SUBLEASES; TO PROVIDE THAT THESE LEASES
8 AND SUBLEASES SHALL NOT BE CANCELLED BASED ON THE BINDING
9 SUCCESSOR DOCTRINE; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** (1) The Board of Trustees of State Institutions
12 of Higher Learning, acting by and through the University of
13 Southern Mississippi, may lease portions of the property
14 administered by the Mississippi State Port Authority at Gulfport.

15 (2) The University of Southern Mississippi may enter into
16 subleases with public and/or private entities for all or part of
17 such property.

18 (3) The University of Southern Mississippi, acting with the
19 approval of the Board of Trustees of State Institutions of Higher
20 Learning, may negotiate all aspects of any lease and sublease of
21 such property and any terms and ancillary agreements pertaining to



22 any lease and sublease of such property as may be reasonably
23 necessary to effectuate the intent and purposes of this section
24 and to ensure a fair and equitable return to the state.

25 (4) Any lease and sublease as provided for in this section
26 and approved and entered into by the University of Southern
27 Mississippi shall not exceed a term of forty (40) years and shall
28 not be cancelled by any successor boards on the basis of the
29 binding successor doctrine.

30 **SECTION 2.** This act shall take effect and be in force from
31 and after July 1, 2022, and shall stand repealed on June 30, 2022.

