

By: Representatives Banks, Bell (65th),
Stamps, Brown (70th), Crudup

To: Ports, Harbors and
Airports

HOUSE BILL NO. 1264

1 AN ACT TO REPEAL SECTION 61-3-6, MISSISSIPPI CODE OF 1972,
2 WHICH CREATES THE JACKSON METROPOLITAN AREA AIRPORT AUTHORITY; TO
3 AMEND SECTIONS 61-3-3 AND 61-3-5, MISSISSIPPI CODE OF 1972, TO
4 CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 61-3-6, Mississippi Code of 1972, which
7 creates the Jackson Metropolitan Area Airport Authority, is
8 repealed.

9 **SECTION 2.** Section 61-3-3, Mississippi Code of 1972, is
10 amended as follows:

11 61-3-3. The following words or terms, whenever used or
12 referred to in this chapter, shall have the following respective
13 meanings unless different meanings clearly appear from the
14 context:

15 (a) "Airport" means any area of land or water which is
16 used, or intended for use, for the landing and taking off of
17 aircraft, and any appurtenant areas which are used, or intended
18 for use, for airport buildings or other airport facilities or
19 rights-of-way, or for other appropriate purposes, including buffer



20 areas and areas for airport-compatible development, together with
21 all buildings and facilities located thereon.

22 (b) "Airport-related contracts, leases and other
23 arrangements" means any leases, contracts or other arrangements
24 entered into by an authority in accordance with Section 61-3-21
25 other than any:

26 (i) Unrelated contracts, leases and other
27 arrangements, as defined in this section; and

28 (ii) Leases, contracts or other arrangements
29 related primarily to buffer areas or other such areas for
30 airport-compatible development and any buildings or facilities
31 located thereon.

32 (c) "Airport authority" or "authority" means any
33 regional airport or municipal airport authority created pursuant
34 to the provisions of this chapter.

35 (d) "Airport hazard" means any structure, object or
36 natural growth, or use of land which obstructs the airspace
37 required for the flight of aircraft in landing or taking off at an
38 airport, or is otherwise hazardous to such landing or taking off
39 of aircraft.

40 (e) "Air navigation facility" means any facility other
41 than one owned and operated by the United States, used in,
42 available for use in, or designed for use in aid of air
43 navigation, including any structures, mechanisms, lights, beacons,
44 markers, communicating systems, or other instrumentalities, or



45 devices used or useful as an aid, or constituting an advantage or
46 convenience, to the safe taking off, navigation and landing of
47 aircraft, or the safe and efficient operation or maintenance of an
48 airport, and any combination of any or all of such facilities.

49 (f) "Clerk" means the custodian of the official records
50 of a municipality.

51 (* * *g) "Bonds" means any bonds, notes, interim
52 certificates, debentures or similar obligations issued by an
53 authority pursuant to this chapter.

54 (* * *h) "Governing body" means the official or
55 officials authorized by law to exercise ordinance or other
56 lawmaking powers of a municipality.

57 (* * *i) "Local government" means any local
58 governmental unit as defined in Section 17-13-5.

59 (* * *j) "Municipal airport authority" or "municipal
60 authority" means a municipal airport authority created pursuant to
61 the provisions of Section 61-3-5 * * *.

62 (* * *k) "Municipality" means any county, supervisors
63 district or supervisors districts, or all that portion of the
64 county lying outside the territorial boundaries of any named city,
65 town or village, and a city, town and village of this state or any
66 state-supported institution of higher learning or any public
67 community or junior college.

68 (* * *l) "Person" means any individual, firm,
69 partnership, corporation, company, association, joint-stock



70 association or body politic, and includes any trustee, receiver,
71 assignee or other similar representative thereof.

72 (* * *m) "Regional airport authority" or "regional
73 authority" means a regional airport authority created pursuant to
74 the provisions of Section 61-3-7.

75 (* * *n) "Unrelated contracts, leases and other
76 arrangements" means any lease, contract or other arrangement
77 entered into by the authority in accordance with Section 61-3-21
78 pursuant to which the current, primary use of the structures,
79 improvements or other facilities erected, installed, constructed
80 or located in connection therewith are substantially unrelated to
81 the support of the following airport-related activities:

82 (i) The taking off and landing of commercial and
83 private aircraft at the airport or air navigation facility;

84 (ii) The maintenance or repair of commercial or
85 private aircraft taking off and landing at the airport or air
86 navigation facility;

87 (iii) The storage, via hanger or otherwise, of
88 commercial or private aircraft taking off and landing at the
89 airport or air navigation facility;

90 (iv) The shipping or transporting of freight by
91 aircraft at the airport or air navigation facility;

92 (v) The provision of ground and air transportation
93 services to commercial or private aircraft passengers;



94 (vi) The supplying of goods, commodities, things,
95 services or facilities primarily:

96 1. To commercial and private aircraft taking
97 off and landing at the airport or air navigation facility; or

98 2. Within the airport terminal building to
99 commercial or private aircraft passengers in the process of
100 traveling on such aircraft.

101 (vii) Any fixed base operator activities providing
102 aviation services at the airport or air navigation facility.

103 **SECTION 3.** Section 61-3-5, Mississippi Code of 1972, is
104 amended as follows:

105 61-3-5. Any municipality or a state-supported institution of
106 higher learning or a public community or junior college, by
107 resolution, may create a public body, corporate and politic, to be
108 known as a municipal airport authority, which shall be authorized
109 to exercise its functions upon the appointment and qualification
110 of the first commissioners thereof. Upon the adoption of a
111 resolution creating a municipal airport authority, the governing
112 body of the municipality or of the state-supported institution of
113 higher learning or other public community or junior college,
114 pursuant to the resolution, shall appoint five (5) persons as
115 commissioners of the authority. The commissioners who are first
116 appointed shall be designated to serve for terms of one (1), two
117 (2), three (3), four (4) and five (5) years, respectively.
118 Thereafter, each commissioner shall be appointed for a term of



119 five (5) years, except that vacancies occurring otherwise than by
120 the expiration of term shall be filled for the unexpired term in
121 the same manner as the original appointments. * * *

122 **SECTION 4.** This act shall take effect and be in force from
123 and after July 1, 2022.

