

By: Representative Yancey

To: Accountability,
Efficiency, Transparency

HOUSE BILL NO. 1069

1 AN ACT TO AMEND SECTIONS 7-11-3 AND 7-11-13, MISSISSIPPI CODE
2 OF 1972, TO AUTHORIZE THE SECRETARY OF STATE TO TRANSFER LAND
3 RECORDS THAT ARE FRAGILE DUE TO AGE, CONDITION OR MATERIAL TO THE
4 MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY FOR MAINTENANCE AND
5 PRESERVATION; TO REQUIRE THE DEPARTMENT TO GRANT ACCESS TO THE
6 ORIGINALS OR COPIES OF THE RECORDS TO THE SECRETARY OF STATE AS
7 NEEDED IN THE PERFORMANCE OF THE SECRETARY'S DUTIES AS STATE LAND
8 COMMISSIONER; TO AMEND SECTION 7-11-17, MISSISSIPPI CODE OF 1972,
9 IN CONFORMITY TO THE PROVISIONS OF THIS ACT; AND FOR RELATED
10 PURPOSES.

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

12 **SECTION 1.** Section 7-11-3, Mississippi Code of 1972, is
13 amended as follows:

14 7-11-3. The Secretary of State shall have custody of the
15 records of the surveyor general's office turned over to this state
16 by the United States, all field notes, plats and maps of surveys
17 of lands belonging to the old office of swamp land commissioner
18 and all other papers, documents and records which were formerly
19 kept in the land office. All such records now in the possession
20 of any other officer shall be delivered to the Secretary of State.
21 If the Secretary of State determines that due to age, condition or
22 material that the maintenance and preservation of papers,



23 documents and records is not within the capabilities of the Office
24 of Secretary of State, the Secretary of State may transfer the
25 papers, documents and records to the Mississippi Department of
26 Archives and History for preservation. The department shall allow
27 the Secretary of State access to the original or copies of the
28 papers, documents and records so that the Secretary of State may
29 fulfill the responsibilities of State Land Commissioner.

30 **SECTION 2.** Section 7-11-13, Mississippi Code of 1972, is
31 amended as follows:

32 7-11-13. All state land records, all levee land records, and
33 all other land records, except assessment rolls, shall be kept in
34 the office of the Secretary of State and be held by him.

35 The Secretary of State shall keep a record of all state-owned
36 lands in a separate and well bound book. He or she is authorized
37 and empowered to request of any board, commission, department or
38 other state agency having under its jurisdiction state-owned lands
39 the records herein required to be recorded in his or her office,
40 and it shall be the duty of any state agency to comply with the
41 request of the Secretary of State.

42 If the Secretary of State determines that due to age,
43 condition or material that the maintenance and preservation of the
44 records is not within the capabilities of the Office of Secretary
45 of State, the Secretary of State may transfer the records to the
46 Mississippi Department of Archives and History for preservation.
47 The department shall allow the Secretary of State access to the



48 original or copies of the records so that the Secretary of State
49 may fulfill the responsibilities of State Land Commissioner.

50 **SECTION 3.** Section 7-11-17, Mississippi Code of 1972, is
51 amended as follows:

52 7-11-17. The land records in the Secretary of State's office
53 and those records being maintained and preserved by the
54 Mississippi Department of Archives and History pursuant to Section
55 7-11-3 or 7-11-13 shall be carefully preserved, and valuable
56 records shall be bound and rebound when necessary.

57 **SECTION 4.** This act shall take effect and be in force from
58 and after July 1, 2023.

