

By: Representatives Yancey, Foster

To: Municipalities

HOUSE BILL NO. 1072

1 AN ACT TO AMEND SECTION 29-1-145, MISSISSIPPI CODE OF 1972,
 2 TO PROVIDE THAT IF A CHANCERY CLERK OR MUNICIPAL CLERK NOTIFIES
 3 THE SECRETARY OF STATE OF A HAZARDOUS TREE ON CERTIFIED TAX
 4 FORFEITED PROPERTY AND SUCH TREE IS REMOVED, THEN THE COST OF THE
 5 REMOVAL MAY BE SUBMITTED TO THE SECRETARY OF STATE FOR
 6 REIMBURSEMENT; TO AUTHORIZE THE SECRETARY OF STATE TO WITHHOLD A
 7 CERTAIN PERCENTAGE OF ITS PROCEEDS FROM THE SALES OF TAX FORFEITED
 8 LAND TO PAY FOR THE REMOVAL; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 29-1-145, Mississippi Code of 1972, is
 11 amended as follows:

12 29-1-145. The chancery clerk or municipal clerk shall report
 13 to the Secretary of State any reasonable costs incurred by the
 14 county or municipality in maintaining unredeemed lands sold for
 15 taxes * * * that have been certified to the state. The Secretary
 16 of State shall pay the maintenance costs out of the money
 17 deposited into the Land Records Maintenance Fund. The Secretary
 18 of State shall certify to the Department of Finance and
 19 Administration and to the State Treasurer the amount of
 20 maintenance costs allowed to the county and municipality, and the
 21 Department of Finance and Administration shall issue a warrant in



22 favor of the county or municipality for the amount of those costs.
23 In no event shall the maintenance costs allowed the county or
24 municipality exceed the market value of the lands or the purchase
25 money received from the sale of those lands.

26 (2) (a) In the event the chancery clerk or municipal clerk
27 notifies the Secretary of State of a tree located on tax forfeited
28 property that has been certified to the state, which poses an
29 immediate harm to life or property of the adjoining parcels, the
30 chancery clerk or municipal clerk is authorized to remove the tree
31 and submit the cost of removal to the Secretary of State for
32 reimbursement.

33 (b) To pay for the removal of trees, the Secretary of
34 State is authorized to withhold up to ten percent (10%) of its
35 proceeds from the sales of tax forfeited properties.

36 (c) At the end of each fiscal year, remaining funds
37 held by the Secretary of State to pay for tree removal shall be
38 turned back into the State General Fund. If at any time the fund
39 is exhausted, the Secretary of State is not obligated to make
40 disbursements.

41 **SECTION 2.** This act shall take effect and be in force from
42 and after July 1, 2023.

