

By: Senator(s) England

To: Municipalities

SENATE BILL NO. 2278

1 AN ACT TO AMEND SECTION 43-35-31, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE DEFINITION OF "URBAN RENEWAL PROJECT POWERS" BY
3 REMOVING THE POWER TO EXERCISE EMINENT DOMAIN WHEN AN AGENCY OR
4 HOUSING AUTHORITY IS OPERATING UNDER THE URBAN RENEWAL LAW; AND
5 FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 43-35-31, Mississippi Code of 1972, is
8 amended as follows:

9 43-35-31. (a) A municipality may itself exercise its urban
10 renewal project powers (as herein defined) or may, if the local
11 governing body by resolution determines such action to be in the
12 public interest, elect to have such powers exercised by the urban
13 renewal agency (created by Section 43-35-33) or by the housing
14 authority, if one exists or is subsequently established in the
15 community. In the event the local governing body makes such
16 determination, the urban renewal agency or the housing authority,
17 as the case may be, shall be vested with all of the urban renewal
18 project powers in the same manner as though all such powers were
19 conferred on such agency or authority instead of the municipality.



20 If the local governing body does not elect to make such
21 determination, the municipality, in its discretion, may exercise
22 its urban renewal project powers through a board or commissioner
23 or through such officers of the municipality as the local
24 governing body may by resolution determine.

25 (b) As used in this section, the term "urban renewal project
26 powers" shall include the rights, powers, functions and duties of
27 a municipality under this article, except the following: the
28 power to determine an area to be a slum or blighted area or
29 combination thereof and to designate such area as appropriate for
30 an urban renewal project and to hold any public hearings required
31 with respect thereto; the power to approve urban renewal plans and
32 modifications thereof; the power to establish a general plan for
33 the locality as a whole; the power to formulate a workable program
34 under Section 43-35-9; the power to make the determinations and
35 findings provided for in Section 43-35-7, Section 43-35-11, and
36 subsection (d) of Section 43-35-13; the power to issue general
37 obligation bonds; * * * the power to appropriate funds, to levy
38 taxes and assessments, and to exercise other powers provided for
39 in subsection (h) of Section 43-35-15 and the power to exercise
40 eminent domain.

41 **SECTION 2.** This act shall take effect and be in force from
42 and after July 1, 2024.

