

By: Senator(s) Parker, Blackwell, McLendon

To: Municipalities; County Affairs

SENATE BILL NO. 2497

1 AN ACT TO AMEND SECTION 21-1-27, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE PROPOSED ANNEXATION OF CERTAIN UNINCORPORATED COMMUNITIES
3 TO BE PUT TO A REFERENDUM BY THE COMMUNITY IF THE ANNEXING
4 MUNICIPALITY DOES NOT PROVIDE A MAJORITY OF CRITICAL SERVICES; AND
5 FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 21-1-27, Mississippi Code of 1972, is
8 amended as follows:

9 21-1-27. (1) The limits and boundaries of existing cities,
10 towns and villages shall remain as now established until altered
11 in the manner hereinafter provided. When any municipality shall
12 desire to enlarge or contract the boundaries thereof by adding
13 thereto adjacent unincorporated territory or excluding therefrom
14 any part of the incorporated territory of such municipality, the
15 governing authorities of such municipality shall pass an ordinance
16 defining with certainty the territory proposed to be included in
17 or excluded from the corporate limits, and also defining the
18 entire boundary as changed. In the event the municipality desires
19 to enlarge such boundaries, such ordinance shall in general terms



20 describe the proposed improvements to be made in the annexed
21 territory, the manner and extent of such improvements, and the
22 approximate time within which such improvements are to be made;
23 such ordinance shall also contain a statement of the municipal or
24 public services which such municipality proposes to render in such
25 annexed territory. In the event the municipality shall desire to
26 contract its boundaries, such ordinance shall contain a statement
27 of the reasons for such contraction and a statement showing
28 whereby the public convenience and necessity would be served
29 thereby.

30 (2) [Repealed]

31 (3) [Repealed]

32 (4) (a) When any unincorporated community having a
33 population in excess of nineteen thousand (19,000) in which
34 Interstate 269 and Mississippi Highway 305 intersect and which has
35 boundaries that lie within one (1) county is considered for
36 annexation into a nearby municipality, the board of supervisors of
37 the county shall, pursuant to certain conditions, take action in
38 one (1) of the following ways:

39 (i) If the municipality seeking annexation
40 provides not less than four (4) of the critical services defined
41 in paragraph (c) of this subsection to the unincorporated
42 community, the county board of supervisors shall allow the
43 annexation to proceed; or



44 (ii) If the municipality seeking annexation does
45 not provide four (4) or more critical services to the
46 unincorporated community, the county board of supervisors shall
47 call an election and allow voting members of the community to
48 decide whether the annexation will proceed.

49 (b) When any unincorporated community having a
50 population in excess of seven thousand (7,000) in which Highway
51 269 and Highway 305 intersect and which has boundaries that lie
52 within one (1) county is considered for annexation into a nearby
53 municipality, the board of supervisors of the county shall,
54 pursuant to certain conditions, take action in one (1) of the
55 following ways:

56 (i) If the municipality seeking annexation
57 provides not less than four (4) of the critical services defined
58 in paragraph (d) of this subsection to the unincorporated
59 community, the county board of supervisors shall allow the
60 annexation to proceed; or

61 (ii) If the municipality seeking annexation does
62 not provide four (4) or more critical services to the
63 unincorporated community, the county board of supervisors shall
64 call an election and allow voting members of the community to
65 decide whether the annexation will proceed.

66 (c) For purposes of this subsection (4), the term
67 "critical services" shall mean the following: (i) fire
68 protection; (ii) police-law enforcement protection; (iii) water;



69 (iv) gas; (v) sewer; (vi) garbage collection; and (vii) emergency
70 medical ambulance.

71 (d) Before any annexation described in paragraph
72 (a)(ii) or (b)(ii) of this subsection is allowed to proceed, the
73 board of supervisors shall adopt a resolution declaring its
74 intention to implement such annexation, setting forth the
75 boundaries of such annexation to be imposed, the date upon which
76 such annexation shall become effective and calling for a
77 referendum to be held on the question. The date of the election
78 shall be the first Tuesday after the first Monday in November
79 following the adoption of the resolution at the same time and
80 manner as regular and special elections are held. Notice of such
81 intention shall be published once each week for at least three (3)
82 consecutive weeks in a newspaper published or having a general
83 circulation in the county, with the first publication of such
84 notice to be made not less than twenty-one (21) days before the
85 date fixed in the resolution for the election and the last
86 publication to be made not more than seven (7) days before the
87 election. At the election, all qualified electors of the
88 municipality and the territory to be annexed may vote, and the
89 ballots used in such election shall have printed thereon a brief
90 description of the territory proposed to be annexed and the words
91 "FOR THE PROPOSED ANNEXATION" and on a separate line, "AGAINST THE
92 PROPOSED ANNEXATION" and the voters shall vote by placing a cross
93 (X) or check (✓) opposite their choice on the proposition. When



94 the results of any such election shall have been canvassed by the
95 election commission of the county and certified, the municipality
96 may adopt an ordinance imposing the annexation to be effective on
97 the first day of January following the election, if a majority of
98 the qualified electors who vote in the election vote in favor of
99 such annexation.

100 (e) This subsection (4) shall stand repealed from and
101 after July 1, 2027.

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

