

By: Representative Rushing

To: Municipalities; Ways and
MeansHOUSE BILL NO. 733
(As Sent to Governor)

1 AN ACT TO CREATE THE "PROPERTY CLEANUP REVOLVING FUND" TO
2 ASSIST MUNICIPALITIES WITH THE CLEANUP OF PROPERTIES SOLD FOR
3 TAXES THAT HAVE BEEN CERTIFIED TO THE STATE; TO AUTHORIZE THE
4 CREATION OF A GRANT PROGRAM ADMINISTERED BY THE MISSISSIPPI HOME
5 CORPORATION FOR SUCH PROPERTY CLEANUP BY THE MUNICIPALITY; TO
6 SPECIFICALLY AUTHORIZE MUNICIPALITIES WITH A POPULATION IN EXCESS
7 OF 145,000 TO APPLY FOR GRANTS UNDER THE PROGRAM; TO AUTHORIZE
8 MUNICIPALITIES TO ENTER INTO AGREEMENTS AND TAKE SUCH ACTIONS
9 NECESSARY TO PARTICIPATE IN THE GRANT PROGRAM; TO AMEND SECTION
10 29-1-145, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SECRETARY OF
11 STATE TO UTILIZE MONIES IN THE LAND RECORDS MAINTENANCE FUND TO
12 CONTRACT WITH VENDORS TO MAINTAIN LANDS STRUCK OFF TO THE STATE;
13 TO AMEND SECTIONS 29-1-95 AND 27-104-205, MISSISSIPPI CODE OF
14 1972, TO RESTRICT MONIES IN THE LAND RECORDS MAINTENANCE FUND FROM
15 LAPSING INTO THE GENERAL FUND AT THE END OF THE FISCAL YEAR; AND
16 FOR RELATED PURPOSES.

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

18 **SECTION 1. Definitions.** For the purposes of this act, the
19 following words and phrases shall have the meanings ascribed
20 herein unless the context clearly requires otherwise:

21 (a) "Corporation" means the Mississippi Home
22 Corporation.

23 (b) "Grant fund" means the Property Cleanup Revolving
24 Fund created under Section 2 of this act.



(c) "Municipality" means any incorporated city, town, or village under state law.

(d) "Project" means property cleanup conducted by a municipality or its contractors on property sold for taxes that has been certified to the state that may include cutting grass and weeds; filling cisterns; securing abandoned or dilapidated buildings; removing rubbish, abandoned or dilapidated fences, outside toilets, abandoned or dilapidated buildings, slabs, personal property, which removal of personal property shall not be subject to the provisions of Section 21-39-21, and other debris; and draining cesspools and standing water therefrom.

(e) "State" means the State of Mississippi.

SECTION 2. **Establishment of grant fund.** (1) There is established in the State Treasury a fund to be known as the "Property Cleanup Revolving Fund," which shall be administered by the corporation. The grant fund shall be funded from any funds appropriated or otherwise made available by the Legislature in any manner and funds from any other source whether or not designated for deposit into such fund. Unexpended amounts remaining in the grant fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the grant fund shall be deposited to the credit of the grant fund. The grant fund shall be maintained in perpetuity for the purposes established in this section.



49 (2) The corporation shall establish a grant program
50 utilizing the funds in the grant fund which shall commence after
51 July 1, 2025, to assist municipalities with projects. The
52 corporation shall promulgate such guidelines, rules, forms, and
53 regulations as may be necessary to carry out the provisions of
54 this act. Grants from the grant fund may be made to
55 municipalities as set forth in an agreement in amounts not
56 exceeding one hundred percent (100%) of estimated costs of a
57 project. The corporation shall establish a maximum amount for any
58 grant to provide for broad and equitable participation in the
59 program.

60 (3) Except as otherwise provided in this section, the grant
61 fund may be used only:

62 (a) To make grants upon receipt of an application from
63 a municipality provided that a municipality may not receive more
64 than fifteen (15) grants in any calendar year. However, a grant
65 may be used for more than one (1) project in a municipality;

66 (b) To earn interest on fund accounts; and

67 (c) For the reasonable costs of administering the grant
68 fund and conducting activities under this act.

69 (4) The corporation may establish and collect fees to defray
70 the reasonable costs of administering the grant fund. The
71 administration fees may be paid from the grant fund and included
72 in the grant to municipalities for the purpose of facilitating



73 payment to the corporation. The fees may not exceed three percent
74 (3%) of the grant.

75 **SECTION 3. Authority to apply and oversight.** (1) In a
76 municipality with a population in excess of one hundred forty-five
77 thousand (145,000), according to the 2020 United States Census,
78 the Urban Renewal Authority and the Parking Authority with
79 oversight of the Jackson Redevelopment Authority (JRA) are
80 authorized to apply for grants under this act and to enter into
81 agreements and take actions necessary to carry out site demolition
82 and site preparation for the purposes of urban renewal. Funds
83 shall be used exclusively for site preparation and property
84 cleanup with oversight of the funds from the Jackson Redevelopment
85 Authority.

86 (2) All applications and projects under Section 3 of this
87 act shall be conducted under the oversight and coordination of the
88 Jackson Redevelopment Authority (JRA).

89 (3) The corporation shall promulgate such rules, guidelines,
90 forms, and regulations as may be necessary to administer the grant
91 program.

92 (4) Grants may be awarded in amounts not exceeding Two
93 Thousand Dollars (\$2,000.00) per project. The corporation shall
94 establish a maximum grant amount to ensure equitable access to
95 funding.

96 (5) No more than fifteen (15) grants may be awarded per
97 calendar year to any municipality or authority.



98 **SECTION 4. Municipal authority.** Municipalities are hereby
99 authorized to apply for a grant and to enter into agreements and
100 to take such actions necessary to obtain such grants under the
101 provisions of this act.

102 **SECTION 5.** Section 29-1-145, Mississippi Code of 1972, is
103 amended as follows:

104 29-1-145. (1) The chancery clerk or municipal clerk shall
105 report to the Secretary of State any reasonable costs incurred by
106 the county or municipality in maintaining unredeemed lands sold
107 for taxes while those lands remain unsold. The Secretary of State
108 shall pay the maintenance costs out of the money deposited into
109 the Land Records Maintenance Fund. The Secretary of State shall
110 certify to the Department of Finance and Administration and to the
111 State Treasurer the amount of maintenance costs allowed to the
112 county and municipality, and the Department of Finance and
113 Administration shall issue a warrant in favor of the county or
114 municipality for the amount of those costs. In no event shall the
115 maintenance costs allowed the county or municipality exceed the
116 market value of the lands or the purchase money received from the
117 sale of those lands, unless the potential damage to the property
118 or any adjacent property requires the costs to exceed the market
119 value of the lands or the purchase money received from the sale of
120 those lands.

121 (2) The Secretary of State is authorized to use, upon
122 appropriation by the Legislature, any monies deposited into the



Land Records Maintenance Fund to contract with a vendor in
accordance with state competitive bidding process to maintain
unredeemed lands sold for taxes while those lands remain unsold
and lands sold for taxes that have been certified to the state.
For purposes of this section, the term "maintain" means cutting
grass, trees and/or limbs, or repairing, clearing or demolishing
structures and/or cleaning rubbish and debris.

SECTION 6. Section 29-1-95, Mississippi Code of 1972, is amended as follows:

29-1-95. (1) All taxes due the county, municipality, public school district, drainage district or levee board on lands sold to the state for taxes and listed into the Secretary of State's office shall remain in abeyance until the land be sold, and thereafter such taxes shall be paid out of the purchase money; but state, county, municipality, public school district, drainage district or levee board taxes shall not accrue on such lands after the fiscal year in which it was certified to the state. Upon the payment of the purchase money of any tax land into the Treasury, the Secretary of State shall certify to the Department of Finance and Administration and to the Treasurer the amount of fees and costs allowed to the county tax collector and chancery clerk, as in cases of the redemption of lands from tax sales, under the provisions of Section 25-7-21; and the Department of Finance and Administration shall issue warrants in favor of such county tax collector and chancery clerk for the amount of such fees. The



Secretary of State shall also certify to the Department of Finance and Administration and the Treasurer the amount of the county, municipality, public school district, drainage district and levee board taxes for which said land was sold to the state, and all taxes accruing on said land until the year in which it was certified to the state; and the Department of Finance and Administration shall issue warrants in favor of the proper county, municipality, public school district, drainage district, and levee board for the said four (4) years' taxes. The balance of the purchase money shall be deposited into a special fund to be known as the "Land Records Maintenance Fund," that is hereby created in the State Treasury. The fund shall be administered by the Secretary of State, upon appropriation by the Legislature, to reimburse municipalities and counties for maintenance of unredeemed lands sold for taxes while those lands remain unsold; to contract with vendors in accordance with state competitive bidding procedures to maintain lands sold for taxes that have been certified to the state and to maintain unredeemed lands sold for taxes while those lands remain unsold. * * * Any amount on hand in the Land Records Maintenance Fund at the end of the fiscal year that is not necessary to pay obligations to local governmental units set out in this subsection, after June 30 of each year, shall not lapse into the General Fund, but shall remain in the Land Records Maintenance Fund to be used for maintenance of unredeemed lands as prescribed under this subsection.



173 (2) If, after the payment of the fees and costs allowed to
174 the county tax collector and the chancery clerk, as aforesaid, the
175 balance of the purchase money of any tax land paid into the
176 Treasury shall be insufficient to cover the amount of the state,
177 county, municipality, public school district, drainage district or
178 levee board taxes due thereon, or if the records of the Secretary
179 of State fail to show the amount of state, county, municipality,
180 public school district, drainage district or levee board taxes
181 accruing for the years until said land was certified to the state,
182 on lands sold by the Secretary of State, he shall apportion the
183 balance of the purchase money derived from the sale of such lands
184 between the state, county, municipality, public school district,
185 drainage district and levee board upon the basis of the amount of
186 taxes due the state, county, municipality, public school district,
187 drainage district and levee board, respectively, at the time said
188 land was struck off to the state for delinquent taxes by the
189 sheriff and tax collector, and for which said lands were struck
190 off to the state.

191 (3) All funds derived from the sale of properties under the
192 provisions of Sections 7-11-15, 29-1-27, 29-1-29, 29-1-35,
193 29-1-37, 29-1-53 through 29-1-57, 29-1-73 and 29-1-81 through
194 29-1-87 shall be handled in the manner provided herein for funds
195 derived from the sale of lands.

196 (4) From and after July 1, 2016, the expenses of this agency
197 shall be defrayed by appropriation from the State General Fund and



all user charges and fees, except the Land Records Maintenance Fund, authorized under this section shall be deposited into the State General Fund as authorized by law. The requirements of this subsection (4) shall not apply to disbursements * * * by the Secretary of State from the Land Records Maintenance Fund, and to any funds which by law are to be collected and deposited to the Land Records Maintenance Fund.

(5) From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section. This prohibition shall not apply to payments made from the Land Records Maintenance Fund provided for in subsection (1) of this section.

SECTION 7. Section 27-104-205, Mississippi Code of 1972, is amended as follows:

27-104-205. (1) From and after July 1, 2016, the expenses of the following enumerated state agencies shall be defrayed by appropriation of the Legislature from the State General Fund: the State Fire Marshal, the State Fire Academy (not including the State Fire Academy Workforce Program Fund), the Office of Secretary of State (not including the Preneed Contracts Loss Recovery Fund, Land Records Maintenance Fund), the Mississippi Public Service Commission, the Mississippi Department of Information Technology Services, (not including the Mississippi Department of Information Technology Services Revolving Fund), the



223 State Personnel Board, the Mississippi Department of Insurance
224 (not including the Municipal Fire Protection Fund, Section
225 83-1-37, the County Volunteer Fire Department Fund, Section
226 83-1-39, and the Mississippi Propane Education and Research Fund,
227 Section 75-57-119), the Mississippi Law Enforcement Officers'
228 Minimum Standards Board, the Mississippi Gaming Commission, the
229 Office of the State Public Defender, the Mississippi Workers'
230 Compensation Commission (not including the Second Injury Trust
231 Fund) and the Office of Attorney General. Beginning July 1, 2016,
232 any fees, assessments or other revenues charged for the support of
233 the above-named state agencies shall be deposited into the State
234 General Fund, and any special fund or depository established
235 within the State Treasury for the deposit of such fees,
236 assessments or revenues shall be abolished and the balance
237 transferred to the State General Fund. Expenses heretofore drawn
238 from such special funds or other depositories shall be drawn from
239 the agencies' General Fund Account.

240 (2) Beginning with the fiscal year ending June 30, 2016, the
241 amount to be appropriated annually from the State General Fund for
242 the support of each of the above-named state agencies shall not
243 exceed the amount appropriated for such purpose in the preceding
244 fiscal year, plus any increases in or additional fees, assessments
245 or other charges authorized by act of the Legislature for the
246 succeeding fiscal year.



247 (3) The provisions of this section shall not apply to any
248 trust fund account that is maintained by any above-named agency.

249 (4) The provisions of this section shall not prohibit any of
250 the above-named agencies from maintaining clearing accounts in
251 approved depositories.

252 (5) The provisions of this section shall not apply to any
253 trust fund accounts maintained by the Public Employees' Retirement
254 System and protected under Section 272A of the Mississippi
255 Constitution of 1890.

256 **SECTION 8.** This act shall take effect and be in force from
257 and after July 1, 2025.

