

By: Senator(s) McCaughn

To: Forestry

## SENATE BILL NO. 2009

1 AN ACT TO PROHIBIT TIMBER MILLS FROM DISCRIMINATING AGAINST  
2 LANDOWNERS SOLEY ON FUTURE USE OF THE LANDOWNERS' PROPERTY; TO  
3 PROHIBIT TIMBER PURCHASES FROM REQUIRING LANDOWNERS TO ABIDE BY  
4 CONTRACTS THAT ALLOW THE PURCHASER TO DICTATE THE FUTURE USE OF  
5 THE LANDOWNERS' PROPERTY; TO DEFINE RELEVANT TERMS; AND FOR  
6 RELATED PURPOSES.

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

8 **SECTION 1.** (1) As used in this section, the following terms  
9 shall have the meanings ascribed in this section, unless context  
10 clearly requires otherwise:

11 (a) "Timber mill" means a timber, lumber or saw  
12 facility where logs are cut into timber, lumber, boards, plywood  
13 or any other forestry products.

14 (b) "Discriminate" means to refrain from purchasing  
15 timber, lumber, boards, plywood or any other forestry products  
16 unless the seller and/or landowner(s) agree to contractually  
17 obligate themselves to terms and conditions that are deemed  
18 unenforceable by this section.



19           (c) "Timber purchaser" means any person or entity that  
20 purchases timber, lumber, boards, plywood or any other forestry  
21 products from another party.

22           (2) Timber mills within the state of Mississippi that  
23 receive state funding are prohibited from discriminating against  
24 landowners based solely on the landowners' future use of their own  
25 property. If a timber mill declines to engage in business with a  
26 landowner, the landowner should be notified of an articulable  
27 reason as to why the mill has declined to engage in business with  
28 the landowner. If no articulable reason other than solely the  
29 landowner's future use of his or her own property, then the timber  
30 mill shall be found in violation of this section. If a timber  
31 mill is found guilty of violating this section, they shall be  
32 guilty of a misdemeanor and subject to up to a five thousand  
33 dollar (\$5,000.00) fine.

34           (4) Timber purchasers are prohibited from issuing or  
35 enforcing contracts which require landowners to sign a contract  
36 stating that landowners are contractually obligated to replant  
37 timber, that landowners are prohibited from putting forestry land  
38 into pasture, or any such terms that would allow the purchaser to  
39 dictate the future use of landowners' property. Any contract that  
40 contains a provision that violates this subsection shall be  
41 considered valid, except for the term, provisions or obligations  
42 that are determined to be in violation of this section and thus  
43 unenforceable.



44           **SECTION 2.** This act shall take effect and be in force from  
45 and after July 1, 2025.

