

By: Senator(s) Carter

To: Finance

SENATE BILL NO. 2841

1 AN ACT TO AMEND SECTION 27-53-19, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT BLOCKING ACCESS TO A MANUFACTURED HOME OR MOBILE
3 HOME SO THAT NOTICE OF SALE MAY NOT BE SERVED, OR OCCUPANCY STATUS
4 MAY NOT BE DETERMINED, SHALL BE PRIMA FACIE EVIDENCE OF AN INTENT
5 ON THE PART OF THE MANUFACTURED OR MOBILE HOMEOWNER TO AVOID
6 PAYMENT OF TAXES, AND THE COUNTY TAX COLLECTOR SHALL ATTACH THE
7 PROPERTY IMMEDIATELY; TO BRING FORWARD SECTION 27-53-15,
8 MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT;
9 AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** Section 27-53-19, Mississippi Code of 1972, is
12 amended as follows:

13 27-53-19. (1) Removal of a manufactured home or mobile home
14 after the same has been assessed and such ad valorem tax has not
15 been paid and notice of sale has been served shall be prima facie
16 evidence of an intent on the part of the manufactured or mobile
17 homeowner to avoid payment of taxes, and the county tax collector
18 shall attach the property immediately.

19 (2) Blocking access to a manufactured home or mobile home so
20 that notice of sale may not be served, or occupancy status may not
21 be determined, shall be prima facie evidence of an intent on the

22 part of the manufactured or mobile homeowner to avoid payment of
23 taxes, and the county tax collector shall attach the property
24 immediately.

25 **SECTION 2.** Section 27-53-15, Mississippi Code of 1972, is
26 brought forward as follows:

27 27-53-15. (1) A manufactured home or mobile home shall be
28 considered personal property for purposes of ad valorem taxation
29 unless the manufactured homeowner or mobile homeowner who owns the
30 land on which the manufactured home or mobile home is located
31 either:

32 (a) Declares at the time of registration that the
33 manufactured home or mobile home shall be classified as real
34 property for ad valorem tax purposes only under subsection (2) of
35 this section; or

36 (b) Permanently retires the title to real property
37 under Section 63-21-30.

38 (2) The manufactured homeowner or mobile homeowner who owns
39 the land on which the manufactured home or mobile home is located
40 shall have the option at the time of registration of declaring
41 whether the manufactured home or mobile home shall be classified
42 as personal or real property for ad valorem tax purposes only. If
43 the manufactured home or mobile home is to be classified as real
44 property for ad valorem tax purposes only, then the wheels and
45 axles must be removed and it must be anchored and blocked in
46 accordance with the rules and procedures promulgated by the



47 Commissioner of Insurance of the State of Mississippi. After the
48 wheels and axles have been removed and the manufactured home or
49 mobile home has been anchored and blocked in accordance with such
50 rules and procedures, the manufactured home or mobile home shall
51 be considered to have been affixed to a permanent foundation. The
52 county tax assessor shall then enter the manufactured home or
53 mobile home on the land rolls and tax it as real property on the
54 land on which it is located from the date of registration. At
55 such time, the county tax assessor shall issue a certificate
56 certifying that the manufactured home or mobile home has been
57 classified as real property for ad valorem tax purposes only.
58 Such certificate shall contain the name of the owner of the
59 manufactured home or mobile home, the name of the manufacturer,
60 the model, the serial number or VIN and the legal description of
61 the real property on which the manufactured home or mobile home is
62 located. The county tax assessor shall cause such certificate to
63 be filed in the land records of the county in which the property
64 is situated. After filing, the chancery clerk shall forward the
65 certificate to the owner. For issuance of the certificate, a fee
66 of Ten Dollars (\$10.00) shall be collected by the county tax
67 assessor and retained by the county tax assessor and the county
68 tax assessor shall also collect the applicable fee pursuant to
69 Section 25-7-9(1) (b) for the filing of the certificate and such
70 fee shall be forwarded to the chancery clerk. Upon the filing of
71 the certificate in the land records, the manufactured home or



72 mobile home shall then be considered real property for purposes of
73 ad valorem taxation only. The filing of such a certificate shall
74 not affect the validity or priority of any existing perfected
75 lien. If a manufactured home or mobile home is classified as real
76 property for ad valorem tax purposes only and no certificate of
77 title was required to be issued or issued for such property
78 pursuant to Chapter 21, Title 63, Mississippi Code of 1972, a
79 security interest may be obtained therein through the use of a
80 mortgage or deed of trust describing both the manufactured home or
81 mobile home and the land on which the manufactured home or mobile
82 home is located. For a manufactured home or mobile home
83 classified as personal property for which no certificate of title
84 was required to be issued or issued pursuant to the provisions of
85 Chapter 21, Title 63, Mississippi Code of 1972, the perfection of
86 a security interest therein shall be governed by the provisions of
87 Chapter 9, Title 75, Mississippi Code of 1972. Regardless of
88 whether a manufactured home or mobile home for which a certificate
89 of title was required to be issued or issued pursuant to the
90 provisions of Chapter 21, Title 63, Mississippi Code of 1972, is
91 classified as real property for ad valorem tax purposes only or is
92 classified as personal property, the perfection of a security
93 interest therein shall be governed by the provisions of Chapter
94 21, Title 63, Mississippi Code of 1972. A manufactured home or
95 mobile home that has been classified as personal property may be
96 reclassified as real property for ad valorem tax purposes only at



97 the option of its owner if the owner obtains a certification from
98 the tax assessor as provided in this section. Conversely, a
99 manufactured home or mobile home that has been classified as real
100 property for ad valorem tax purposes only may be reclassified for
101 purposes of ad valorem taxation only as personal property at the
102 option of its owner if there is no lien against it and if the
103 owner notifies the county tax assessor to reassess it and have the
104 county tax collector enter it upon the manufactured home rolls.
105 Upon a request for reclassification, if no certificate of title
106 was required to be issued or issued for the manufactured home or
107 mobile home, there must be no lien against it and the property
108 owner shall present proof satisfactory to the tax assessor that
109 there are no liens outstanding on the property. If there is a
110 lien against the manufactured home or mobile home, the county tax
111 assessor shall refuse to allow the county tax collector to
112 reclassify it as personal property until the lien has been
113 released. If a certificate of title as provided in Chapter 21,
114 Title 63, Mississippi Code of 1972, has been issued, the
115 manufactured home or mobile home may be reclassified for ad
116 valorem taxation purposes only regardless of whether a lien exists
117 on the certificate of title. Upon such request, the tax assessor
118 may issue a certificate cancelling the classification of the
119 manufactured home or mobile home as real property for ad valorem
120 tax purposes only and cause such certification to be filed in the
121 land records of the county in which the property is situated. For



122 issuance of the certificate, a fee of Ten Dollars (\$10.00) shall
123 be collected by the county tax assessor and retained by the county
124 tax assessor and the county tax assessor shall also collect the
125 applicable fee pursuant to Section 25-7-9(1)(b) for the filing of
126 the certificate and such fee shall be forwarded to the chancery
127 clerk.

128 (3) If the title to a manufactured home or mobile home has
129 been permanently retired to real property under Section 63-21-30,
130 then the county tax assessor shall enter the manufactured home or
131 mobile home on the land rolls and tax it as real property on the
132 land on which it is located from the date of recordation of the
133 affidavit of affixation. Upon the filing of the affidavit of
134 affixation in the land records, the manufactured home or mobile
135 home shall be considered real property for ad valorem taxation and
136 for all other purposes.

137 **SECTION 3.** This act shall take effect and be in force from
138 and after July 1, 2025.

