

By: Martinson, Barbour

To: Municipalities

## HOUSE BILL NO. 1246

1 AN ACT TO PROHIBIT A MUNICIPALITY FROM ANNEXING A HISTORIC  
2 PRESERVATION DISTRICT DESIGNATED BY A COUNTY UNTIL THE CONSENT OF  
3 THE COUNTY HAS BEEN OBTAINED; AND FOR RELATED PURPOSES.

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

5 SECTION 1. If a county has designated a historic  
6 preservation district under Section 39-13-1 et seq., no  
7 municipality may change its boundaries to include within the  
8 limits of the municipality any such historic preservation district  
9 until the consent of the county has been obtained in writing.  
10 Before making its decision about the annexation, the county must  
11 first obtain in writing the advice and recommendations of the  
12 historic preservation commission established under Section  
13 39-13-5. The historic preservation commission also must obtain in  
14 writing the advice and recommendations of the Mississippi  
15 Department of Archives and History and submit the advice and  
16 recommendations to the county. After the county has followed this  
17 procedure, the municipality may, if given an affirmative response  
18 from the county, take any necessary action to annex the historic  
19 preservation district. If a municipality annexes a historic  
20 preservation district without obtaining written consent of the  
21 county, the annexation shall be voidable at the option of the  
22 county within six (6) months after the county becomes aware of the  
23 annexation.

24 SECTION 2. Section 1 of this act shall be codified as a new  
25 section in Chapter 1, Title 21, Mississippi Code of 1972.

26 SECTION 3. This act shall take effect and be in force from

27 and after July 1, 2000.