

By: Cuevas

To: Environment Prot,
Cons and Water Res

SENATE BILL NO. 3062

1 AN ACT TO CREATE A NEW CODE SECTION TO BE CODIFIED AS SECTION
2 19-5-192, MISSISSIPPI CODE OF 1972, TO AUTHORIZE DISTRICTS
3 ORGANIZED UNDER SECTIONS 19-5-151 THROUGH 19-5-207, MISSISSIPPI
4 CODE OF 1972, TO PROVIDE FUNDS FOR WATER SUPPLY AND/OR SEWER
5 IMPROVEMENTS THROUGH ASSESSMENTS AGAINST LOTS, PARCELS OR TRACTS
6 OF LAND IMPROVED; TO PROVIDE FOR THE MAKING AND COLLECTION OF
7 ASSESSMENTS; TO PROVIDE FOR PUBLICATION AND PROTESTS OF
8 ASSESSMENTS; TO PROHIBIT IMPROVEMENTS AND ASSESSMENTS IN CERTAIN
9 CASES; AND FOR RELATED PURPOSES.

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

11 SECTION 1. The following shall be codified as Section
12 19-5-192, Mississippi Code of 1972:

13 19-5-192. (1) Funds for making improvements in water supply
14 or sewer systems, or both, may be provided by assessments upon the
15 properties benefited according to procedures set forth in this
16 section. For purposes of this section, "improvements" mean the
17 construction of a new water or sewer system or the expansion or
18 repair of an existing water supply or sewer system.

19 (2) It is the duty of the board of supervisors, at the time
20 annual county tax levies are made, to levy those assessments as
21 are certified to them by the board of commissioners of the
22 district as being due and payable at a stated time. It is the
23 duty of the tax collector of the county in which the district lies
24 to collect those assessments and pay the funds collected to the
25 board of commissioners of the district. Assessments levied under
26 this section shall only be used for making improvements to a water
27 supply or sewer system, or both.

28 (3) Funds may be provided by assessments assessed against a
29 lot or block in a recorded subdivision of land or by other

30 appropriately designated parcel or tract of land in accord with
31 the following procedure:

32 (a) The board of commissioners of the district, after
33 giving notice and hearing protests in the manner prescribed by
34 Sections 21-41-5 and 21-41-7, Mississippi Code of 1972, shall by
35 resolution spread upon its minutes the type of improvements to be
36 made and the entire area to be benefited by each improvement.
37 Each type of improvement may be designated as a project, or all
38 improvements may be designated as one (1) project.

39 (b) If forty percent (40%) of the property owners
40 actually residing on property owned by them and included within
41 that area designated for the improvements shall file a protest,
42 then the improvement shall not be made and the assessment shall
43 not be made.

44 (c) Assessments shall be made in the manner provided in
45 Sections 21-41-9 through 21-41-21, and 21-41-25 through 21-41-39,
46 Mississippi Code of 1972; however assessments shall only be made
47 against a lot or block in a recorded subdivision of land or by
48 other appropriately designated parcel or tract of land and shall
49 not be based upon front footage.

50 SECTION 2. This act shall take effect and be in force from
51 and after July 1, 2000.