

By: Hyde-Smith (By Request)

To: Constitution

## SENATE CONCURRENT RESOLUTION NO. 555

1 A CONCURRENT RESOLUTION PROPOSING TO CREATE NEW SECTION 112A,  
2 MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE FOR AN ANNUAL  
3 ASSESSMENT ON CERTAIN NONPRODUCING MINERAL ESTATES; TO PROVIDE  
4 THAT FAILURE TO PAY THE ASSESSMENT SHALL RESULT IN THE REVERSION  
5 OF THE TITLE AND INTEREST IN THE MINERAL ESTATE TO THE STATE OF  
6 MISSISSIPPI; TO PROVIDE FOR THE REDEMPTION OF THE MINERAL ESTATE;  
7 AND FOR RELATED PURPOSES.

8 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF  
9 MISSISSIPPI, That the following amendments to the Mississippi  
10 Constitution of 1890 are proposed to the qualified electors of the  
11 state:

12 I.

13 Create new Section 112A, Mississippi Constitution of 1890, to  
14 read as follows:

15 Section 112A. An assessment shall be collected annually by  
16 the county on each nonproducing mineral estate located within the  
17 county that is owned by any person, firm, partnership, association  
18 or corporation other than the owner of the surface rights of the  
19 land. If the nonproducing mineral estate extends into more than  
20 one (1) county, the annual assessment shall be collected by each  
21 county wherein the nonproducing mineral estate is located. The  
22 amount of the assessment shall be set by the Legislature by  
23 general law.

24 If the owner of the nonproducing mineral estate, other than  
25 the owner of the land, fails or refuses to pay the assessment and  
26 after the due process procedure set by the Legislature by general  
27 law has been completed, the title and interest in the nonproducing  
28 mineral estate shall revert to the State of Mississippi. The

29 owner of such mineral estate may redeem his property in the manner  
30 provided by the Legislature by general law. If the owner of the  
31 nonproducing mineral estate does not redeem the mineral estate,  
32 the owner or owners of the surface estate wherein the mineral  
33 estate lies may redeem the nonproducing mineral estate in the  
34 manner provided by the Legislature by general law.

35 The Legislature shall institute legislation providing for the  
36 implementation of the assessment, the due process procedure and  
37 the method of redemption authorized by this section."

38 BE IT FURTHER RESOLVED, That this proposed amendment shall be  
39 submitted by the Secretary of State to the qualified electors at  
40 an election to be held on the first Tuesday after the first Monday  
41 of November 2000, as provided by Section 273 of the Constitution  
42 and by general law.

43 BE IT FURTHER RESOLVED, That the explanation of this proposed  
44 amendment for the ballot shall read as follows: "This proposed  
45 constitutional amendment authorizes an annual assessment on each  
46 nonproducing mineral estate that is owned by someone other than  
47 the owner of the surface estate; provides that failure to pay the  
48 assessment shall result in the reversion of the title and interest  
49 in the mineral estate to the State of Mississippi; and provides  
50 that if the owner of the mineral estate does not redeem the  
51 property, the owner of the surface estate may redeem the mineral  
52 estate.