

By: Representative Guice

To: Banking and Financial Services; Municipalities

HOUSE BILL NO. 664

1 AN ACT TO CREATE NEW SECTION 81-1-120, MISSISSIPPI CODE OF  
 2 1972, TO DIRECT THE COMMISSIONER OF BANKING AND CONSUMER FINANCE  
 3 TO ENSURE THAT ALL BUSINESSES AND ENTITIES UNDER THE SUPERVISION  
 4 OF THE DEPARTMENT OF BANKING AND CONSUMER FINANCE ARE TREATED IN  
 5 THE SAME MANNER FOR ZONING PURPOSES; TO PROHIBIT ANY ZONING  
 6 ORDINANCE OR REGULATION THAT REQUIRES ANY BUSINESS OR ENTITY UNDER  
 7 THE SUPERVISION OF THE DEPARTMENT TO BE LOCATED ONLY WITHIN AN  
 8 AREA HAVING A CERTAIN ZONING CLASSIFICATION UNLESS IT REQUIRES ALL  
 9 OTHER BUSINESSES AND ENTITIES UNDER THE SUPERVISION OF THE  
 10 DEPARTMENT TO BE LOCATED WITHIN THAT SAME AREA; TO AUTHORIZE THE  
 11 COMMISSIONER TO TAKE APPROPRIATE LEGAL ACTION TO ENFORCE  
 12 COMPLIANCE WITH THE PROVISIONS OF THIS SECTION; AND FOR RELATED  
 13 PURPOSES.

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

15 **SECTION 1.** The following shall be codified as Section  
 16 81-1-120, Mississippi Code of 1972:

17 81-1-120. The Commissioner of Banking and Consumer Finance  
 18 shall ensure that all businesses and entities under the  
 19 supervision of the Department of Banking and Consumer Finance are  
 20 treated in the same manner for zoning purposes. No zoning  
 21 ordinance or regulation shall require that any business or entity  
 22 under the supervision of the department be located only within an  
 23 area or areas having a certain zoning classification unless it  
 24 requires all other businesses and entities under the supervision  
 25 of the department to be located within that same area or areas.  
 26 The commissioner may take appropriate action in any court of  
 27 competent jurisdiction to enforce compliance with the provisions  
 28 of this section.

29 **SECTION 2.** This act shall take effect and be in force from  
 30 and after July 1, 2005.