

By: Senator(s) Hewes

To: Judiciary, Division A

SENATE BILL NO. 2532

1 AN ACT TO AMEND SECTION 11-27-1, MISSISSIPPI CODE OF 1972, TO
2 PROHIBIT USE OF THE POWER OF EMINENT DOMAIN FOR CERTAIN PRIVATE,
3 NONGOVERNMENTAL PURPOSES; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 11-27-1, Mississippi Code of 1972, is
6 amended as follows:

7 11-27-1. (1) Any person or corporation having the right to
8 condemn private property for public use shall exercise that right
9 as provided in this chapter, except as elsewhere specifically
10 provided under the laws of the State of Mississippi.

11 (2) Notwithstanding the provisions of this chapter or any
12 other provisions of law to the contrary, property shall not be
13 condemned for the purposes of private retail, office, commercial,
14 industrial or residential development; or primarily for
15 enhancement of tax revenue; or for transfer to a person,
16 nongovernmental entity, public-private partnership, corporation or
17 other business entity. Nothing in this chapter shall be
18 interpreted to prohibit the exercise of the power of eminent
19 domain for the purpose of constructing, maintaining or operating
20 streets and roadways, government buildings or park and recreation
21 facilities.

22 **SECTION 2.** This act shall take effect and be in force from
23 and after its passage.