

By: Representative Robinson (63rd)

To: Municipalities;
Apportionment and Elections

HOUSE BILL NO. 1279

1 AN ACT TO AMEND SECTION 21-1-33, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THAT WARD LINES BE DRAWN BEFORE A CHANCELLOR MAY APPROVE A
3 PROPOSED ENLARGEMENT OF A MUNICIPALITY; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 21-1-33, Mississippi Code of 1972, is
6 amended as follows:

7 21-1-33. If the chancellor finds from the evidence presented
8 at such hearing that the proposed enlargement or contraction is
9 reasonable and is required by the public convenience and necessity
10 and, in the event of an enlargement of a municipality, that
11 reasonable public and municipal services will be rendered in the
12 annexed territory within a reasonable time and after ward lines
13 have been drawn for an enlargement of a municipality, the
14 chancellor shall enter a decree approving, ratifying and
15 confirming the proposed enlargement or contraction, and describing
16 the boundaries of the municipality as altered. In so doing the
17 chancellor shall have the right and the power to modify the
18 proposed enlargement or contraction by decreasing the territory to
19 be included in or excluded from such municipality, as the case may
20 be. If the chancellor shall find from the evidence that the
21 proposed enlargement or contraction, as the case may be, is
22 unreasonable and is not required by the public convenience and
23 necessity, then he shall enter a decree denying such enlargement
24 or contraction. In any event, the decree of the chancellor shall
25 become effective after the passage of ten (10) days from the date
26 thereof or, in event an appeal is taken therefrom, within ten (10)
27 days from the final determination of such appeal. In any

28 proceeding under this section the burden shall be upon the
29 municipal authorities to show that the proposed enlargement or
30 contraction is reasonable.

31 **SECTION 2.** This act shall take effect and be in force from
32 and after July 1, 2007.