

By: Senator(s) Harkins, Kirby, Moran,  
Caughman, Browning

To: Accountability,  
Efficiency, Transparency

SENATE BILL NO. 2162  
(As Sent to Governor)

1 AN ACT TO CREATE SECTION 61-3-6, MISSISSIPPI CODE OF 1972, TO  
2 CREATE THE JACKSON METROPOLITAN AREA AIRPORT AUTHORITY; TO  
3 ESTABLISH ITS POWERS AND DUTIES; TO PROVIDE THAT THE JACKSON  
4 METROPOLITAN AREA AIRPORT AUTHORITY SHALL EXERCISE ALL POWERS AND  
5 DUTIES DELEGATED TO MUNICIPAL AIRPORT AUTHORITIES BY LAW; TO  
6 PROVIDE FOR THE APPOINTMENT OF THE COMMISSIONERS OF THE JACKSON  
7 METROPOLITAN AREA AIRPORT AUTHORITY; TO ABOLISH THE JACKSON  
8 MUNICIPAL AIRPORT AUTHORITY AND TRANSFER ALL POWERS, DUTIES,  
9 FACILITIES AND RESOURCES TO THE JACKSON METROPOLITAN AREA AIRPORT  
10 AUTHORITY UPON APPROVAL OF THE JACKSON METROPOLITAN AIRPORT  
11 AUTHORITY BY THE FEDERAL AVIATION ADMINISTRATION AS AN ELIGIBLE  
12 AIRPORT SPONSOR AND ISSUANCE OF AN AIRPORT OPERATING CERTIFICATE;  
13 TO AMEND SECTIONS 61-3-3 AND 61-3-5, MISSISSIPPI CODE OF 1972, IN  
14 CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

16 **SECTION 1.** This section shall be codified as Section 61-3-6,  
17 Mississippi Code of 1972:

18 61-3-6. (1) The Jackson Metropolitan Area Airport Authority  
19 is created and established and full power is vested in the  
20 authority to manage, control and enforce all necessary and  
21 beneficial matters pertaining to the operation of Jackson-Medgar  
22 Wiley Evers International Airport and Hawkins Field Airport. The  
23 authority shall have the same powers and duties as a municipal  
24 airport authority under this chapter and any other laws pertaining



25 to municipal airport authorities except in respect to the sale or  
26 disposal of real property prohibited under subsection (5) (a) or  
27 this section.

28 (2) The Jackson Metropolitan Area Airport Authority shall  
29 consist of the following nine (9) commissioners:

30 (a) The Adjutant General of the Mississippi National  
31 Guard, or his designee;

32 (b) The Executive Director of the Mississippi  
33 Development Authority, or his designee;

34 (c) One (1) commissioner appointed by the Mayor of the  
35 City of Jackson appointed for an initial term of one (1) year;

36 (d) One (1) commissioner appointed by the City Council  
37 of the City of Jackson appointed for an initial term of two (2)  
38 years;

39 (e) One (1) commissioner appointed by the Board of  
40 Supervisors of Madison County appointed for an initial term of  
41 three (3) years;

42 (f) One (1) commissioner appointed by the Board of  
43 Supervisors of Rankin County appointed for an initial term of four  
44 (4) years;

45 (g) Two (2) commissioners appointed by the Governor  
46 from the City of Jackson appointed for terms of (5) years one of  
47 whom shall be the holder of a valid pilot's license or  
48 certification issued by the Federal Aviation Administration; and



49           (h) One (1) commissioner appointed by the Lieutenant  
50 Governor from the City of Jackson appointed for a term of five (5)  
51 years.

52           (3) Unless otherwise provided in subsection (2) of this  
53 section, commissioners appointed under paragraphs (c) through (h)  
54 of subsection (2) of this section shall be persons with at least  
55 ten (10) years' experience as a certified public accountant or  
56 charter financial analyst, business owners with at least ten (10)  
57 years' experience in executive management, persons with at least  
58 ten (10) years' experience in the aviation industry, persons with  
59 at least ten (10) years' experience in economic development,  
60 attorneys with at least ten (10) years' experience in commercial  
61 law, construction law or aviation law, persons who have been  
62 holders of a pilot's license or certification issued by the  
63 Federal Aviation Administration for at least ten (10) years,  
64 persons with at least ten (10) years' experience in dealing with  
65 public financing transactions, or persons holding certificates of  
66 registration as a professional engineer with at least ten (10)  
67 years' experience in the practice of engineering.

68           (4) After the initial terms, commissioners shall be  
69 appointed in the same manner as the original appointment for terms  
70 of five (5) years or until their successor is appointed and  
71 qualified. Vacancies occurring other than the expiration of a  
72 term shall be filled for the unexpired term in the same manner as  
73 the original appointment.



74 (5) (a) Upon review and approval by the Federal Aviation  
75 Administration (FAA) of the Jackson Metropolitan Area Airport  
76 Authority as an eligible airport sponsor and the FAA's review and  
77 approval of the issuance of an airport operating certificate under  
78 14 CFR part 139 with respect to the Jackson-Medgar Wiley Evers  
79 International Airport, the Jackson Municipal Airport Authority is  
80 abolished, and all powers and duties, airport equipment,  
81 buildings, facilities, inventories, records, personnel, resources  
82 and all other property, real or personal, tangible or intangible,  
83 including any pertaining to or generated from revenues of the  
84 airport, are transferred to the Jackson Metropolitan Area Airport  
85 Authority. The Jackson Metropolitan Area Airport Authority may  
86 not, by sale or otherwise, dispose of any real property acquired  
87 by transfer in accordance with this paragraph (a) or subsequently  
88 acquired by the authority.

89 (b) Upon the transfer required by paragraph (a) of this  
90 subsection, the Jackson Metropolitan Area Airport Authority shall  
91 assume all obligations of the Jackson Municipal Airport Authority  
92 pertaining to the airport that are in effect at the time of the  
93 transfer.

94 **SECTION 2.** Section 61-3-3, Mississippi Code of 1972, is  
95 amended as follows:

96 61-3-3. The following words or terms, whenever used or  
97 referred to in this chapter, shall have the following respective



98 meanings unless different meanings clearly appear from the  
99 context:

100 (a) "Airport" means any area of land or water which is  
101 used, or intended for use, for the landing and taking off of  
102 aircraft, and any appurtenant areas which are used, or intended  
103 for use, for airport buildings or other airport facilities or  
104 rights-of-way, or for other appropriate purposes, including buffer  
105 areas and areas for airport compatible development, together with  
106 all buildings and facilities located thereon.

107 (b) "Airport authority" or "authority" means any \* \* \*  
108 airport authority created pursuant to the provisions of this  
109 chapter.

110 (c) "Airport hazard" means any structure, object or  
111 natural growth, or use of land which obstructs the airspace  
112 required for the flight of aircraft in landing or taking off at an  
113 airport, or is otherwise hazardous to such landing or taking off  
114 of aircraft.

115 (d) "Air navigation facility" means any facility other  
116 than one owned and operated by the United States, used in,  
117 available for use in, or designed for use in aid of air  
118 navigation, including any structures, mechanisms, lights, beacons,  
119 markers, communicating systems, or other instrumentalities, or  
120 devices used or useful as an aid, or constituting an advantage or  
121 convenience, to the safe taking off, navigation and landing of



122 aircraft, or the safe and efficient operation or maintenance of an  
123 airport, and any combination of any or all of such facilities.

124 (e) "Bonds" means any bonds, notes, interim  
125 certificates, debentures or similar obligations issued by an  
126 authority pursuant to this chapter.

127 \* \* \*

128 ( \* \* \* f) "Governing body" means the official or  
129 officials authorized by law to exercise ordinance or other  
130 lawmaking powers of a municipality.

131 ( \* \* \* g) "Local government" means any local  
132 governmental unit as defined in Section 17-13-5.

133 ( \* \* \* h) "Municipal airport authority" or "municipal  
134 authority" means a municipal airport authority created pursuant to  
135 the provisions of Section 61-3-5 or 61-3-6.

136 ( \* \* \* i) "Municipality" means any county, supervisors  
137 district or supervisors districts, or all that portion of the  
138 county lying outside the territorial boundaries of any named city,  
139 town or village, and a city, town and village of this state or any  
140 state-supported institution of higher learning or any public  
141 community or junior college.

142 ( \* \* \* j) "Person" means any individual, firm,  
143 partnership, corporation, company, association, joint-stock  
144 association or body politic, and includes any trustee, receiver,  
145 assignee or other similar representative thereof.



146 ( \* \* \*k) "Regional airport authority" or "regional  
147 authority" means a regional airport authority created pursuant to  
148 the provisions of Section 61-3-7.

149 **SECTION 3.** Section 61-3-5, Mississippi Code of 1972, is  
150 amended as follows:

151 61-3-5. Any municipality or a state-supported institution of  
152 higher learning or a public community or junior college, by  
153 resolution, may create a public body, corporate and politic, to be  
154 known as a municipal airport authority, which shall be authorized  
155 to exercise its functions upon the appointment and qualification  
156 of the first commissioners thereof. Upon the adoption of a  
157 resolution creating a municipal airport authority, the governing  
158 body of the municipality or of the state-supported institution of  
159 higher learning or other public community or junior college,  
160 pursuant to the resolution, shall appoint five (5) persons as  
161 commissioners of the authority. The commissioners who are first  
162 appointed shall be designated to serve for terms of one (1), two  
163 (2), three (3), four (4) and five (5) years, respectively.  
164 Thereafter, each commissioner shall be appointed for a term of  
165 five (5) years, except that vacancies occurring otherwise than by  
166 the expiration of term shall be filled for the unexpired term in  
167 the same manner as the original appointments. This section shall  
168 not apply to the airport authority created in Section 61-3-6.

169 **SECTION 4.** This act shall take effect and be in force from  
170 and after July 1, 2016.

