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States' Right-To-Farm Statutes:

Mississippi



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Miss. Code Ann. § 95-3-29

Statutes and Constitution are current with laws from the 2022 Regular Session effective through Feb. 17, 2022.

§ 95-3-29. Agricultural operation, immunity

(1) In any nuisance action, public or private, against an agricultural operation, including forestry activity, proof that the agricultural operation, including forestry activity, has existed for one (1) year or more is an absolute defense to the nuisance action, if the operation is in compliance with all applicable state and federal permits.

(2) The following words and phrases as used in this section shall have the meanings given them in this section:

(a) “Agricultural operation” includes, without limitation, any facility or production site for the production and processing of crops, or products thereof, livestock, or products thereof, farm-raised fish and fish products, livestock products, honeybees, honey and other products of the beehive, wood, timber or forest products, fowl or plants for breeding or sales and poultry or poultry products for commercial or industrial purposes. “Agricultural operation” also includes the use of farm machinery, equipment, devices, chemicals, products for agricultural use, materials and structures designed for agricultural use and used in accordance with best agricultural management practices and are in compliance with any applicable state and federal permits.

(b) “Forestry activity” means any activity associated with the reforesting, growing, managing, protecting and harvesting of timber, wood and forest products including nongame species.

(c) “Traditional farm practices” means those accepted customs and standards established and followed by similar agricultural operations under similar circumstances.

(3) The provisions of this section shall not be construed to affect any provision of the “Mississippi Air and Water Pollution Control Law.”

(4) This section shall not affect actions commenced prior to July 1, 1980.

