

By: Mayo

To: Ways and Means

HOUSE BILL NO. 949

1 AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF A COUNTY AND
2 THE GOVERNING AUTHORITY OF A MUNICIPALITY TO EXEMPT FROM AD
3 VALOREM TAXATION ANY STRUCTURE OR IMPROVEMENT BY A BUSINESS
4 ENTERPRISE OR INDUSTRY WHICH QUALIFIES UNDER CRITERIA ESTABLISHED
5 JOINTLY BY THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT
6 AND THE APPLICABLE BOARD OR GOVERNING AUTHORITY; TO PROVIDE THAT
7 THE LENGTH OF THE EXEMPTION SHALL NOT EXCEED FIVE YEARS; TO
8 PROVIDE THAT THE GRANTING OF ANY INDIVIDUAL EXEMPTION SHALL BE BY
9 OFFICIAL ACTION OF THE BOARD OR GOVERNING AUTHORITY; AND FOR
10 RELATED PURPOSES.

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

12 SECTION 1. (1) The board of supervisors of any county and
13 the governing authority of any municipality may exempt from ad
14 valorem taxation, except ad valorem taxes for school district
15 purposes, the following property, located in the respective county
16 or municipality: the construction of a building or structure, or
17 any improvement to an existing structure or building, by a person
18 or entity engaged in a business enterprise or industry which
19 qualifies under criteria established jointly by the Department of
20 Economic and Community Development and the board or governing
21 authority, as the case may be. The true value of the land upon
22 which the structure, building or improvement is located shall not
23 be exempt under this section, nor shall any structure or building
24 that is used as a single-family dwelling be exempt under this
25 section.

26 (2) The exemption granted under this section may be a full
27 or total ad valorem exemption from taxation; or it may be a
28 limited or partial exemption that exempts the property from any ad
29 valorem taxation over the level of taxation that such property is
30 subject to on July 1, 2000. Any request for an exemption under

31 this section must be made in writing on an application form
32 prescribed by the county or governing authority, providing full
33 information about the property for which the exemption is
34 requested, including the true value of the land involved; however,
35 the true value of the land upon which the structure will be placed
36 or the improvement will be made shall not be exempt under this
37 section. The exemption shall commence upon completion of the
38 structure or improvement, or on January 1 of the year following
39 such completion, and it shall last for a period of time not to
40 exceed five (5) years. The granting of each individual exemption
41 under this section shall be recorded in the official minutes of
42 the board or the governing authority, as the case may be.

43 (3) Any exemption granted under this section shall be in
44 addition to all other exemptions heretofore granted by the laws of
45 the State of Mississippi.

46 SECTION 2. Section 1 of this act shall be codified as a
47 separate code section in Chapter 31, Title 27, Mississippi Code of
48 1972.

49 SECTION 3. Nothing in this act shall affect or defeat any
50 claim, assessment, appeal, suit, right or cause of action for
51 taxes due or accrued under the ad valorem tax laws before January
52 1, 2001, whether such claims, assessments, appeals, suits or
53 actions have been begun before January 1, 2001, or are begun
54 thereafter; and the provisions of the ad valorem tax laws are
55 expressly continued in full force, effect and operation for the
56 purpose of the assessment, collection and enrollment of liens for
57 any taxes due or accrued and the execution of any warrant under
58 such laws before January 1, 2001, and for the imposition of any
59 penalties, forfeitures or claims for failure to comply with such
60 laws.

61 SECTION 4. This act shall take effect and be in force from
62 and after January 1, 2001.