

By: Morris

To: Ways and Means

## HOUSE BILL NO. 1348

1 AN ACT TO AMEND SECTION 27-31-104, MISSISSIPPI CODE OF 1972,  
2 TO CLARIFY PROVISIONS REGARDING FEE IN LIEU AGREEMENTS; AND FOR  
3 RELATED PURPOSES.

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

5 SECTION 1. Section 27-31-104, Mississippi Code of 1972, is  
6 amended as follows:[HS1]

7 27-31-104. County boards of supervisors and municipal  
8 authorities are hereby authorized and empowered to grant a fee in  
9 lieu of taxes, including taxes levied for school purposes, for  
10 projects totaling over One Hundred Million Dollars  
11 (\$100,000,000.00). In addition to those new enterprises  
12 enumerated in Section 27-31-101, Mississippi Code of 1972, the  
13 term "projects," as used in this section, shall include a private  
14 company (as such term is defined in Section 57-61-5, Mississippi  
15 Code of 1972) having a minimum capital investment of One Hundred  
16 Million Dollars (\$100,000,000.00).

17 The fee in lieu shall be negotiated by and given final  
18 approval by the Department of Economic Development.

19 The minimum sum allowable as a fee in lieu shall not be less  
20 than one-third (1/3) of each annual ad valorem levy, during the  
21 term of the fee in lieu agreement, including ad valorem taxes for  
22 school district purposes, and the sum allowed shall be apportioned  
23 between the county or municipality, as appropriate, and the school  
24 districts in such amounts as may be determined by the county board  
25 of supervisors or municipal governing authority, as the case may  
26 be, however, from the sum allowed the apportionment to school

27 districts shall not be less than the school districts' pro rata  
28 share based upon the proportion that the millage imposed for the  
29 school districts by the appropriate levying authority bears to the  
30 millage imposed by such levying authority for all other county or  
31 municipal purposes. The agreement shall be for a term of not more  
32 than ten (10) years.

33 SECTION 2. This act shall take effect and be in force from  
34 and after July 1, 2000.