

By: Carlton

To: Finance

SENATE BILL NO. 2158

1 AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY IN
2 THE YAZOO BASIN, YAZOO BACKWATER, MISSISSIPPI, PROJECT AREA, TO
3 REQUIRE LANDOWNERS WHO SELL CERTAIN CONSERVATION EASEMENTS IN SUCH
4 PROJECT AREA, TO ANNUALLY PAY AN ASSESSMENT TO THE COUNTY TAX
5 COLLECTOR IN AN AMOUNT EQUAL TO THE DIFFERENCE BETWEEN THE AMOUNT
6 OF AD VALOREM TAXES THAT WOULD HAVE BEEN PAID BY THE LANDOWNER ON
7 SUCH PROPERTY IF THE PROPERTY HAD THE SAME USE THAT IT HAD PRIOR
8 TO THE SALE OF SUCH EASEMENT AND THE AMOUNT OF THE AD VALOREM
9 TAXES ACTUALLY PAID BY THE LANDOWNER; TO PROVIDE THAT SUCH
10 ASSESSMENTS SHALL BE PAID TO THE COUNTY TAX COLLECTOR IN THE SAME
11 MANNER AS AD VALOREM TAX PAYMENTS ARE MADE; TO PROVIDE THAT
12 ASSESSMENTS SHALL BE DISTRIBUTED TO LOCAL TAXING DISTRICTS AS
13 REIMBURSEMENT FOR AD VALOREM TAXES THAT ARE LOST AS A RESULT OF
14 THE SALE OF CONSERVATION EASEMENTS; TO PROVIDE THAT PAYMENTS
15 RECEIVED BY LOCAL TAXING DISTRICTS SHALL BE UTILIZED IN THE SAME
16 MANNER AS AD VALOREM TAX RECEIPTS; AND FOR RELATED PURPOSES.

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

18 SECTION 1. (1) As used in this section:

19 (a) "Project" means the Yazoo Basin, Yazoo Backwater,
20 Mississippi, Project authorized by the Flood Control Act of 18
21 August 1941 and the Water Resources Development Act of 1986.

22 (b) "Project area" means land in Humphreys, Issaquena,
23 Sharkey, Warren, Washington and Yazoo Counties located at or below
24 the two-year frequency flood elevation.

25 (c) "Conservation easement" means an easement on open
26 agricultural land located in the project area purchased by the
27 Corps of Engineers or other entity from a landowner that restricts
28 the future use of the property to woodlands.

29 (d) "Local taxing district" means any county,
30 municipality, school district or other local entity that levies an
31 ad valorem tax or for which an ad valorem tax is levied, to fund
32 all or a portion of its budget.

33 (2) The board of supervisors of any county in the project

34 area may, in its discretion, require all landowners in the county
35 who sell conservation easements in the project area to annually
36 pay to the county tax collector an assessment equal to the
37 difference between the amount of ad valorem taxes that would have
38 been paid by the landowner on such property if the property had
39 the same use that it had prior to the sale of such easement and
40 the amount of ad valorem taxes actually paid by the landowner.

41 (3) Assessments shall be paid to the county in the same
42 manner as ad valorem tax payments are made.

43 (4) Assessments received by county tax collectors shall be
44 distributed to local taxing districts as reimbursement for ad
45 valorem taxes that are lost as a result of the sale of
46 conservation easements. Payments received by a local taxing
47 district pursuant to this section shall be utilized in the same
48 manner as ad valorem tax receipts.

49 SECTION 2. This act shall take effect and be in force from
50 and after its passage.