

By: Michel, Dawkins

To: Finance

SENATE BILL NO. 2567

1 AN ACT TO CREATE A NEW SECTION TO BE CODIFIED AS SECTION
2 27-19-56.15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE
3 OF DISTINCTIVE LICENSE TAGS IN SUPPORT OF ANIMAL CARE AND ANIMAL
4 CARE ORGANIZATIONS; TO PROVIDE FOR AN ADDITIONAL FEE TO BE IMPOSED
5 FOR THE ISSUANCE OF SUCH TAGS; TO CREATE A SPECIAL FUND IN THE
6 STATE TREASURY IN WHICH SHALL BE DEPOSITED THE ADDITIONAL FEES
7 COLLECTED FROM THE ISSUANCE OF SUCH DISTINCTIVE TAGS; TO PROVIDE
8 THAT THE MISSISSIPPI BOARD OF ANIMAL HEALTH SHALL ADMINISTER THE
9 SPECIAL FUND AND SHALL DISTRIBUTE MONIES IN THE FUND TO THE BOARDS
10 OF SUPERVISORS AND GOVERNING AUTHORITIES OF MUNICIPALITIES; TO
11 PROVIDE THAT THE BOARDS OF SUPERVISORS AND THE GOVERNING
12 AUTHORITIES OF MUNICIPALITIES MAY EXPEND SUCH MONIES FOR THE
13 OPERATION AND SUPPORT OF COUNTY OR MUNICIPAL AGENCIES, BOARDS OR
14 DEPARTMENTS THAT PROVIDE CARE FOR LOST, ABANDONED OR UNWANTED PETS
15 OR MAY DONATE SUCH MONIES TO NONPROFIT GROUPS, ORGANIZATIONS AND
16 ASSOCIATIONS THAT OPERATE SIMILAR PROGRAMS; TO AUTHORIZE THE
17 MISSISSIPPI BOARD OF ANIMAL HEALTH TO ADOPT RULES AND REGULATIONS
18 GOVERNING THE PROPER ADMINISTRATION OF THE ANIMAL CARE FUND, AND
19 ESTABLISHING GUIDELINES AND CRITERIA FOR THE DISTRIBUTION AND
20 ALLOCATION OF MONIES IN THE FUND; TO AMEND SECTION 69-15-9,
21 MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS
22 ACT; AND FOR RELATED PURPOSES.

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

24 SECTION 1. The following shall be codified as Section
25 27-19-56.15, Mississippi Code of 1972:

26 27-19-56.15. (1) Any owner of a motor vehicle who is a
27 resident of this state, upon payment of the road and bridge
28 privilege taxes, ad valorem taxes and registration fees as
29 prescribed by law for private carriers of passengers, pickup
30 trucks and other noncommercial motor vehicles, and upon payment of
31 an additional fee in the amount provided in subsection (3) of this
32 section, shall be issued a distinctive license tag for each motor
33 vehicle registered in his name, which license tag shall depict the
34 silhouettes of a person, a dog, a cat and a horse within a heart,
35 and shall be produced in such color and design as the State Tax
36 Commission may prescribe. The words "We Care for Animals" shall

37 be centered at the bottom of the license tag, with a silhouette on
38 each side. The State Tax Commission shall prescribe such letters
39 or numbers, or both, as may be necessary to distinguish each
40 license tag.

41 (2) Application for the distinctive license tags authorized
42 by this section shall be made to the county tax collector on forms
43 prescribed by the State Tax Commission. The application and the
44 additional fee imposed under subsection (3) of this section, less
45 five percent (5%) thereof to be retained by the tax collector,
46 shall be remitted to the State Tax Commission within seven (7)
47 days of the date the application is made. The portion of the
48 additional fee retained by the tax collector shall be deposited
49 into the county general fund.

50 (3) Beginning with any registration year commencing on or
51 after July 1, 2000, any person applying for a distinctive license
52 tag under this section shall pay an additional fee in the amount
53 of Fifty Dollars (\$50.00) for each distinctive license tag applied
54 for under this section, which shall be in addition to all other
55 taxes and fees. The additional fee paid shall be for a period of
56 time to run concurrent with the vehicle's established license tag
57 year. The additional fee is due and payable at the time the
58 original application is made for a distinctive license tag under
59 this section and thereafter annually at the time of renewal
60 registration as long as the owner retains the distinctive license
61 tag. If the owner does not wish to retain the distinctive license
62 tag, he must surrender it to the local county tax collector.

63 (4) The State Tax Commission shall deposit all fees into the
64 State Treasury on the day collected. At the end of each month,
65 the State Tax Commission shall certify to the State Treasurer the
66 total fees collected under this section from the issuance of the
67 distinctive license tags issued under this section. The State
68 Treasurer shall distribute an amount equal to Seven Dollars
69 (\$7.00) of the additional fees collected for each such distinctive
70 license tag issued under this section to the State General Fund,
71 and the remainder of such additional fees collected shall be
72 deposited by the State Treasurer into the special fund created in
73 Section 2 of this act.

74 (5) A regular license tag must be properly displayed as
75 required by law until replaced by a distinctive license tag under
76 this section. The regular license tag must be surrendered to the
77 tax collector upon issuance of the distinctive license tag under
78 this section. The tax collector shall issue up to two (2) license
79 decals for each distinctive license tag issued under this section,
80 which will expire the same month and year as the regular license
81 tag.

82 (6) In the case of loss or theft of a distinctive license
83 tag issued under this section, the owner may make application and
84 affidavit for a replacement distinctive license tag as provided by
85 Section 27-19-37. The fee for a replacement distinctive license
86 tag shall be Ten Dollars (\$10.00). The tax collector receiving
87 such application and affidavit shall be entitled to retain and
88 deposit into the county general fund five percent (5%) of the fee
89 for such replacement license tag and the remainder shall be
90 distributed in the same manner as funds from the sale of regular
91 distinctive license tags issued under this section.

92 SECTION 2. (1) There is created in the State Treasury a
93 special fund to be known and designated as the "Animal Care Fund."
94 There shall be deposited in the fund (a) the additional fees
95 collected from the issuance of distinctive license tags under
96 Section 27-19-56.15; (b) any gifts, grants, donations or matching
97 money from federal, state or local governmental bodies and private
98 persons, associations, groups or corporations making contributions
99 to the fund; and (c) such other monies as the Legislature may
100 appropriate or authorize to be deposited therein.

101 (2) The special fund created under subsection (1) of this
102 section shall be administered by the Mississippi Board of Animal
103 Health. Monies in the special fund shall be allocated and
104 distributed by the Mississippi Board of Animal Health to and among
105 the boards of supervisors of each of the counties and the
106 governing authorities of municipalities in the state; provided,

107 however, that money in the fund collected from additional fees for
108 the issuance of distinctive license tags under Section
109 27-19-56.15, shall be allocated to the board of supervisors of the
110 county of residence of the person to whom such tag was issued.
111 Monies allocated, distributed and received by the boards of
112 supervisors and governing authorities (a) may be expended for the
113 operation and support of county or municipal agencies, boards or
114 departments that provide food, shelter and care, and/or spaying
115 and neutering, of lost, abandoned or unwanted pets; (b) may be
116 expended for the creation, development or expansion of such
117 agencies, boards or departments; or (c) may be donated by the
118 boards of supervisors and governing authorities to nonprofit
119 groups, organizations and associations that operate similar
120 programs.

121 (3) The Mississippi Board of Animal Health shall adopt rules
122 and regulations governing the proper administration of the Animal
123 Care Fund, and establishing guidelines and criteria for the
124 distribution and allocation of monies in the fund, including
125 qualifications for those groups, organizations and associations to
126 which boards of supervisors and governing authorities may make
127 donations.

128 SECTION 3. Section 69-15-9, Mississippi Code of 1972, is
129 amended as follows:

130 69-15-9. The Board of Animal Health shall have plenary power
131 to deal with all contagious and infectious diseases of animals as
132 in the opinion of the board may be prevented, controlled or
133 eradicated, and with full power to make, promulgate and enforce
134 such rules and regulations as in the judgment of the board may be
135 necessary to control, eradicate and prevent the introduction and
136 spread of anthrax, tuberculosis, hog cholera, Texas and splenic
137 fever and the fever-carrying tick (*margaropus annulatus*), cattle
138 brucellosis, anaplasmosis, infectious bovine rhinotracheitis,
139 muscosal disease, cattle viral diarrhea, cattle scabies, sheep

140 scabies, hog cholera, swine erysipelas, swine brucellosis, equine
141 encephalomyelitis, rabies, vesicular diseases, salmonella group,
142 newcastle disease, infectious laryngotracheitis,
143 ornithosis-psittacosis, mycoplasma group and any suspected new
144 and/or foreign diseases of livestock and poultry and all other
145 diseases of animals in this state, and the board is hereby vested
146 with full authority to establish and maintain quarantine lines and
147 to quarantine by county, supervisors district, parcel of land or
148 herd. The State Veterinarian shall appoint as many inspectors and
149 range riders as may be deemed necessary, and the funds at his
150 disposal will permit, and shall delegate authority to said
151 inspectors and range riders, to enter premises to inspect and
152 disinfect livestock and premises, and enforce quarantine including
153 counties, farms, pens, stables and other premises.

154 No officer or agent of the State Veterinarian may enter the
155 actual enclosures of any person except (1) with the consent of the
156 person lawfully in possession thereof or (2) in the absence of
157 such consent, with a proper writ obtained as in other cases of
158 searches and seizures under constitutional law. When such
159 officers and agents are lawfully on the premises, either by
160 permission or writ, they shall be authorized to inspect the
161 premises and the livestock and animals found thereon by entering
162 the enclosures and buildings and they are authorized to check
163 livestock and poultry found therein for any contagious diseases
164 and take proper action to control or eradicate any such diseases
165 that may be found. While such officers and agents are performing
166 their duties hereunder, they shall not be personally liable except
167 for gross negligence. The refusal without lawful reason of any
168 person to give the consent aforesaid shall be deemed a misdemeanor
169 and shall be punishable as for violations of Article 5 of this
170 chapter as provided for in Section 69-15-115.

171 The Board of Animal Health shall administer the special fund
172 created in Section 2 of this act.

173 SECTION 4. This act shall take effect and be in force from
174 and after July 1, 2000.