

By: Michel, Dawkins

To: Finance

SENATE BILL NO. 2567
(As Passed the Senate)

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; TO AUTHORIZE A DISTINCTIVE LICENSE TAG FOR PUBLIC SCHOOL
23 TEACHERS; AND FOR RELATED PURPOSES.

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

25 SECTION 1. The following shall be codified as Section
26 27-19-56.15, Mississippi Code of 1972:

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

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

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

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

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

74 Section 2 of this act.

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

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

93 SECTION 2. (1) There is created in the State Treasury a
94 special fund to be known and designated as the "Animal Care Fund."

95 There shall be deposited in the fund (a) the additional fees
96 collected from the issuance of distinctive license tags under
97 Section 27-19-56.15; (b) any gifts, grants, donations or matching
98 money from federal, state or local governmental bodies and private
99 persons, associations, groups or corporations making contributions
100 to the fund; and (c) such other monies as the Legislature may
101 appropriate or authorize to be deposited therein.

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

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

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

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

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

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

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

172 The Board of Animal Health shall administer the special fund

173 created in Section 2 of this act.

174 SECTION 4. [WAN1](1) Public school teachers who own motor
175 vehicles, upon complying with the motor vehicle laws relating to
176 registration and licensing of motor vehicles, and upon payment of
177 the road and bridge privilege taxes, ad valorem taxes and
178 registration fees as prescribed by law for private carriers of
179 passengers, pickup trucks and other noncommercial motor vehicles,
180 and upon payment of an additional annual fee in the amount of
181 Fifty Dollars (\$50.00), shall be issued a special license tag
182 which identifies such person as a public school teacher.

183 (2) The distinctive tags shall be of such color and design
184 as agreed upon by the American Federation of Teachers, the
185 Mississippi Professional Educators and the State Tax Commission.
186 The State Tax Commission shall have final approval of the color
187 and design of the tags.

188 (3) Application for the special license tags shall be made
189 to the county tax collector on forms prescribed by the State Tax
190 Commission. Applicants for such distinctive license tags shall
191 present to the issuing official proof of their employment as a
192 public school teacher. The application and the additional fee,
193 less five percent (5%) thereof to be retained by the tax
194 collector, shall be remitted to the State Tax Commission on a
195 monthly basis as prescribed by the commission. The portion of the
196 additional fee retained by the tax collector shall be deposited
197 into the county general fund.

198 (4) The special license tag shall be issued for a one-year
199 period. The additional annual fee shall be due and payable at the
200 time of renewal registration.

201 (5) (a) The State Tax Commission shall deposit all fees
202 into the State Treasury on the day received. At the end of each
203 month, the State Tax Commission shall certify the total fees
204 collected under this section to the State Treasurer who shall
205 deposit such collections in a special fund hereby created in the

206 State Treasury. The fund shall be administered by the State
207 Department of Education. The State Department of Education shall
208 use the money in the fund to provide educational financial
209 assistance to persons who are pursuing educational requirements
210 necessary to become a public school teacher. Such assistance
211 shall be awarded based upon such criteria as the State Board of
212 Education may establish.

213 (b) The remainder of each such additional fee shall be
214 deposited to the credit of the State Highway Fund to be expended
215 solely for the repair, maintenance, construction or reconstruction
216 of highways.

217 SECTION 5. This act shall take effect and be in force from
218 and after July 1, 2000.