

By: Minor

To: Finance

SENATE BILL NO. 2772

1 AN ACT TO AMEND SECTION 27-31-105, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT THE TIME OF AD VALOREM TAX EXEMPTIONS GRANTED TO
3 MANUFACTURERS AND CERTAIN OTHER ENTERPRISES FOR ADDITIONS OR
4 EXPANSIONS TO FACILITIES OR PROPERTY AND REPLACEMENTS OF
5 EQUIPMENT, SHALL COMMENCE ON THE DATE OF THE COMPLETION OF THE
6 ADDITION, EXPANSION OR REPLACEMENT; TO PROVIDE THAT ANY REQUEST
7 FOR SUCH AN EXEMPTION MUST BE MADE IN WRITING WITHIN 270 DAYS FROM
8 THE DATE OF COMPLETION OF THE ADDITION, EXPANSION OR REPLACEMENT;
9 AND FOR RELATED PURPOSES.

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

11 SECTION 1. Section 27-31-105, Mississippi Code of 1972, is
12 amended as follows:[WAN1]

13 27-31-105. (1) Any person, firm or corporation who owns or
14 operates a manufacturing or other enterprise of public utility as
15 enumerated in Section 27-31-101 and who makes additions to or
16 expansions of the facilities or properties or replaces equipment
17 used in connection with or necessary to the operation of such
18 enterprise may be granted an exemption from ad valorem taxation,
19 except state ad valorem taxation, upon each such addition to or
20 expansion of the facility or property or replacement of equipment,
21 within the discretion of the county board of supervisors and
22 municipal authorities. Provided, however, said governing
23 authorities shall not exempt ad valorem taxes for school district
24 purposes on such additions or expansions of the facility or
25 property, or replacement of equipment, except that this provision
26 shall not apply to or affect any exemptions from ad valorem taxes
27 for school district purposes which were granted under this section
28 prior to the effective date of this chapter and such exemptions
29 heretofore granted shall continue in force for the period of time

30 for which they were granted, unless the grantor and grantee of the
31 exemption agree otherwise. In order to obtain such exemptions
32 upon additions to or expansions of the facilities or properties,
33 or replacement of equipment, such person, firm or corporation
34 shall follow the same procedure prescribed for obtaining an
35 exemption on a new enterprise, except as otherwise provided
36 herein. For any additions, expansions or replacements with
37 reference to any particular new enterprise, which additions,
38 expansions or replacements have been completed during any calendar
39 year, only one (1) request must be made for the exemptions sought
40 for such additions, expansions or replacements. * * * The time
41 of * * * such exemption * * * shall commence from the date of
42 completion of such additions, expansions or replacements * * *,
43 and shall extend for a period not to exceed ten (10) years
44 thereafter; however, boards of supervisors and municipal
45 authorities, in lieu of granting the exemption for one (1) period
46 of ten (10) years, may grant the exemption in consecutive periods
47 of five (5) years each, but the total of such consecutive periods
48 shall not exceed ten (10) years. Any request for an exemption
49 must be made in writing within two hundred seventy (270) days from
50 the date of completion of the additions, expansions or
51 replacements.

52 (2) For expansions of facilities or properties or
53 replacement of equipment, county boards of supervisors and
54 municipal authorities may grant a fee in lieu of taxes in the same
55 manner, to the same extent, and with the same qualifying threshold
56 as provided for projects under Section 27-31-104, Mississippi Code
57 of 1972.

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