

By: Representative Mayo

To: Ways and Means

HOUSE BILL NO. 271

1 AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF A
2 MUNICIPALITY OR THE BOARD OF SUPERVISORS OF A COUNTY TO EXEMPT
3 FROM AD VALOREM TAXATION ANY STRUCTURE OR IMPROVEMENT THAT IS TO
4 BE USED EXCLUSIVELY AS A RESIDENCE AND THAT HAS BEEN CONSTRUCTED
5 BY ANY CHAPTER OF A NOT-FOR-PROFIT CORPORATION WITH THE MISSION OF
6 CONSTRUCTING SINGLE-FAMILY DWELLINGS FOR THE BENEFIT OF
7 INDIVIDUALS POSSESSING LOW INCOME LEVELS; TO PROVIDE THAT THE
8 BOARD OF SUPERVISORS OR GOVERNING AUTHORITIES SHALL ESTABLISH
9 CRITERIA FOR DETERMINING THE QUALIFICATIONS TO BE ELIGIBLE FOR THE
10 EXEMPTION OF THE NOT-FOR-PROFIT CORPORATION AND OF THE INDIVIDUALS
11 FOR WHOM THE HOMES ARE CONSTRUCTED; TO PROVIDE THAT THE LENGTH OF
12 THE EXEMPTION SHALL NOT EXCEED 5 YEARS; TO PROVIDE THAT THE
13 GRANTING OF ANY INDIVIDUAL EXEMPTION SHALL BE BY OFFICIAL ACTION
14 OF THE BOARD OF SUPERVISORS OR GOVERNING AUTHORITIES AND MADE A
15 PART OF ITS MINUTES; AND FOR RELATED PURPOSES.

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

17 SECTION 1. (1) (a) The governing authorities of any
18 incorporated municipality may adopt an ordinance providing for the
19 partial or total exemption from ad valorem taxation, except ad
20 valorem taxes for school district purposes, of any structure or
21 improvement that is to be used exclusively as a residence and that
22 has been constructed by, or with the assistance of, any chapter of
23 a not-for-profit corporation, qualified under Section 501(c)(3) of
24 the Internal Revenue Code, the mission of which is to construct
25 single-family dwellings or homes for the benefit of individuals
26 possessing low income levels. The ordinance shall set forth
27 criteria established by the governing authorities for determining
28 the qualifications to be eligible for the exemption of the
29 not-for-profit corporation and of the individuals for whom the
30 homes are constructed.

31 (b) Any request for an exemption under this subsection
32 must be made in writing on an application form prescribed by the
33 governing authorities, providing full information about the



34 property for which the exemption is requested, including the true
35 value of the land involved; however, the true value of the land
36 upon which the structure will be placed or the improvement will be
37 made shall not be exempt under this subsection. The exemption
38 shall commence upon completion of the structure or improvement or
39 on January 1 of the year following such completion, and it shall
40 last for a period of time not to exceed five (5) years. The
41 ordinance may prescribe a shorter time period for the length of
42 the exemption, or reduce the amount of the exemption in annual
43 steps over the length of the exemption or a portion thereof. The
44 granting of each individual exemption under this subsection shall
45 be recorded by the municipal clerk in the official minutes of the
46 municipality. The governing authorities of the municipality may
47 assess a fee not to exceed Forty Dollars (\$40.00) for processing
48 an application requesting the exemption provided for in this
49 section. No property shall be eligible for the exemption unless
50 the appropriate building permits have been acquired, and the tax
51 assessor has verified that the construction or improvement
52 indicated on the application has been completed.

53 (2) (a) The board of supervisors of any county may
54 authorize the partial or total exemption from ad valorem taxation,
55 except ad valorem taxes for school district purposes, of any
56 structure or improvement that is to be used exclusively as a
57 residence and that has been constructed by, or with the assistance
58 of, any chapter of a not-for-profit corporation, qualified under
59 Section 501(c)(3) of the Internal Revenue Code, the mission of
60 which is to construct single-family dwellings or homes for the
61 benefit of individuals possessing low income levels. The board of
62 supervisors shall establish criteria for determining the
63 qualifications to be eligible for the exemption of the
64 not-for-profit corporation and of the individuals for whom the
65 homes are constructed.



66 (b) Any request for an exemption under this subsection
67 must be made in writing on an application form prescribed by the
68 board of supervisors, providing full information about the
69 property for which the exemption is requested, including the true
70 value of the land involved; however, the true value of the land
71 upon which the structure will be placed or the improvement will be
72 made shall not be exempt under this subsection. The exemption
73 shall commence upon the completion of the structure or improvement
74 or on January 1 of the year following such completion, and it
75 shall last for a period of time not to exceed five (5) years. The
76 board of supervisors may prescribe a shorter time period for the
77 length of the exemption, or reduce the amount of the exemption in
78 annual steps over the length of the exemption or a portion
79 thereof. The granting of each individual exemption under this
80 subsection shall be by order of the board of supervisors, duly
81 adopted and entered into the official minutes. The board of
82 supervisors may assess a fee not to exceed Forty Dollars (\$40.00)
83 for processing an application requesting the exemption provided
84 for in this section. No property shall be eligible for the
85 exemption unless the appropriate building permits have been
86 acquired, and the tax assessor has verified that the construction
87 or improvement indicated on the application has been completed.

88 (3) Any exemption granted under this section shall be in
89 addition to all other exemptions heretofore granted by the laws of
90 the State of Mississippi, and it shall not be applicable to the
91 land upon which the structure is built or the improvement is made.

92 SECTION 2. Section 1 of this act shall be codified in a
93 separate code section in Chapter 31, Title 27, Mississippi Code of
94 1972.

95 SECTION 3. Nothing in this act shall affect or defeat any
96 claim, assessment, appeal, suit, right or cause of action for
97 taxes due or accrued under the ad valorem tax laws before the date
98 on which this act becomes effective, whether such claims,



99 assessments, appeals, suits or actions have been begun before the
100 date on which this act becomes effective, or are begun thereafter;
101 and the provisions of the ad valorem tax laws are expressly
102 continued in full force, effect and operation for the purpose of
103 the assessment, collection and enrollment of liens for any taxes
104 due or accrued and the execution of any warrant under such laws
105 before the date on which this act becomes effective, and for the
106 imposition of any penalties, forfeitures or claims for failure to
107 comply with such laws.

108 SECTION 4. This act shall take effect and be in force from
109 and after January 1, 2002.

