HOUSE BILL NO. 1694

AN ACT TO AMEND CHAPTER 866, LOCAL AND PRIVATE LAWS OF 1992, AS LAST AMENDED BY CHAPTER 1034, LOCAL AND PRIVATE LAWS OF 1999, TO REVISE THE PURPOSES FOR WHICH COUNTY GAMING REVENUE MAY BE EXPENDED BY TUNICA COUNTY; AND FOR RELATED PURPOSES.

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


Section 1. The Board of Supervisors of Tunica County, Mississippi, is authorized to impose a fee in an amount not to exceed three and two-tenths percent (3.2%) of the gross gaming revenue of a gaming vessel per calendar month, on any vessel docked on Buck Lake, Mhoon Landing or on any other navigable waters that have been zoned for gaming by the Tunica County Board of Supervisors as defined in Section 27-109-1, Mississippi Code of 1972, which is located in or which is contiguous to Tunica County.

If the amount of fees required to be reported and paid pursuant to this section is later determined to be greater or less than the amount actually reported and paid by the vessel, the Chairman of the State Tax Commission shall:

(a) Assess and collect the additional fees determined to be due, with interest thereon until paid; or
(b) Advise the governing authority to refund any overpayment, with interest thereon, to the vessel. Interest must be computed, until paid, at the rate of one percent (1%) per month from the first day of the first month following either the due date of the additional fee or the date of overpayment.

The State Tax Commission shall calculate, collect and enforce the collection of the fee as provided for the calculation, collection and enforcement of the license fee under Section 75-76-177, Mississippi Code of 1972. Not less than thirty (30) days before the effective date of the fee, the board of supervisors shall furnish the State Tax Commission a certified copy of the resolution enacting the fee and establishing the effective date, which shall be the first day of any month. The proceeds of such tax shall be paid to Tunica County on or before the tenth day of the month following the month in which collected. Such monies shall be deposited into the county treasury. Such monies shall be expended by the county as follows: twelve percent (12%) shall be deposited in the county general road fund and may be expended for any of the purposes for which monies in the general road fund of the county may be expended; fourteen percent (14%) shall be deposited into the county general fund and may be expended for any of the purposes for which monies in the general fund of the county may be expended; fifty percent (50%) shall be deposited into a special fund in the county treasury and may be expended for the construction, support, or maintenance of roads and bridges, public or nonprofit water and sewer systems, public or nonprofit airports, public or nonprofit convention centers, storm water drainage and flood prevention, public recreation uses, public buildings, public education facilities, medical facilities and public transportation systems; provided, however, that no funds shall be expended on projects related to the sale or distribution of gas or electricity; twelve percent (12%) shall be expended for educational purposes in Tunica County; ten percent
(10%) shall be paid to the Town of Tunica for deposit into the
general fund of the municipality for expenditure for the purposes
of the support, operation or maintenance of fire protection,
streets, sidewalks and related structures, libraries, airports,
municipal water and sewer systems both within and outside the
corporate limits, municipal buildings, parks and recreation, the
police department, supervision and finance, advertising and
bringing into favorable notice the opportunities, possibilities
and resources of the municipality, and debt service as to existing
outstanding debt of the municipality as of the effective date of
this act; and two percent (2%) shall be expended for educational
purposes in Tunica County which shall include and be limited to
teacher's salary supplementation and teacher training.

The board of supervisors may decrease the fee or increase the
fee up to an amount equal to, but not exceeding, three and
two-tenths percent (3.2%) of the gross revenue of the vessels
annually. The State Tax Commission shall be notified not less
than thirty (30) days before the effective date of the change.

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