

By: Senator(s) Dearing, Farris

To: Highways and
Transportation;
Appropriations

SENATE BILL NO. 2432

1 AN ACT TO CREATE A SPECIAL FUND TO BE KNOWN AS THE FUEL TAX
2 COMPLIANCE FUND TO BE UTILIZED BY THE MISSISSIPPI DEPARTMENT OF
3 TRANSPORTATION TO PURCHASE EQUIPMENT OR CONTRACT FOR SERVICES TO
4 INSURE COMPLIANCE WITH THE FUEL TAX LAWS; TO AMEND SECTION
5 27-55-539, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALL THE
6 PENALTIES COLLECTED FOR THE UNLAWFUL USE OF DYED FUEL OR KEROSENE
7 ON HIGHWAYS SHALL BE DEPOSITED INTO THE FUEL TAX COMPLIANCE FUND;
8 AND FOR RELATED PURPOSES.

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

10 SECTION 1. There is created in the State Treasury a special
11 fund to be known as the Fuel Tax Compliance Fund, into which shall
12 be deposited the penalties collected pursuant to Section
13 27-55-539. The money in the fund shall be utilized by the
14 Mississippi Department of Transportation to purchase equipment or
15 contract for services to insure compliance with the fuel tax laws.
16 The money in the fund shall be expended upon appropriation by the
17 Legislature. Unexpended amounts remaining in the fund at the end
18 of the state fiscal year shall not lapse into the State General
19 Fund, and any interest earned on amounts in the fund shall be
20 deposited to the credit of the fund.

21 SECTION 2. Section 27-55-539, Mississippi Code of 1972, is
22 amended as follows:

23 27-55-539. It shall be unlawful to use dyed diesel fuel or
24 kerosene in a motor vehicle on a highway unless that use is
25 permitted under Section 4082 of the Internal Revenue Code. A
26 person who operates on a highway a motor vehicle whose supply tank
27 contains dyed diesel fuel or kerosene whose use is unlawful under
28 this section shall be liable for a penalty of One Thousand Dollars
29 (\$1,000.00) which shall be in addition to any taxes that may be

30 due. All penalties collected pursuant to this section shall be
31 deposited into the Fuel Tax Compliance Fund created pursuant to
32 Section 1 of Senate Bill No. 2432, 2001 Regular Session.

33 SECTION 3. This act shall take effect and be in force from
34 and after July 1, 2001.