AN ACT TO AMEND SECTION 27-25-506, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT UNTIL FISCAL YEAR 2005, ALL OF THE STATE'S SHARE OF OIL AND GAS SEVERANCE TAXES SHALL BE APPROPRIATED FOR THE SUPPORT OF THE MINIMUM EDUCATION OR ADEQUATE EDUCATION PROGRAM; TO CREATE A SPECIAL FUND CALLED THE BUDGET CONTINGENCY FUND; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 27-25-506, Mississippi Code of 1972, is amended as follows:

27-25-506. There is hereby created a special fund in the State Treasury into which the state's share of proceeds collected pursuant to Sections 27-25-505 and 27-25-705 shall be deposited. The state's share of all oil and gas severance taxes derived from oil and gas resources under state-owned lands or from severed state-owned minerals shall be deposited into the State Treasury to the credit of the trust fund created in Section 206A, Mississippi Constitution of 1890. The following amounts of the remainder of tax collections apportioned to the state shall be deposited to the credit of the trust fund created in Section 206A, Mississippi Constitution of 1890:

(a) For fiscal year 1994, all amounts collected in excess of Thirty-five Million Dollars ($35,000,000.00);

(b) For fiscal year 1995, all amounts collected in excess of Thirty-two Million Five Hundred Thousand Dollars ($32,500,000.00);

(c) For fiscal year 1996, all amounts collected in excess of Thirty Million Dollars ($30,000,000.00);
(d) For fiscal year 1997, all amounts collected in excess of Twenty-seven Million Five Hundred Thousand Dollars ($27,500,000.00);
(e) For fiscal year 1998, all amounts collected in excess of Twenty-five Million Dollars ($25,000,000.00);
(f) For fiscal year 1999, all amounts collected in excess of Twenty Million Dollars ($20,000,000.00);
(g) For fiscal year 2000, all amounts collected in excess of Fifteen Million Dollars ($15,000,000.00);
(h) For fiscal year 2001 through December 31, 2000, all amounts collected and transferred in excess of Ten Million Dollars ($10,000,000.00);
(i) For fiscal year 2005, all amounts collected in excess of Ten Million Dollars ($10,000,000.00);
(j) For fiscal year 2006, all amounts collected in excess of Five Million Dollars ($5,000,000.00); and
(k) For fiscal year 2007 and each fiscal year thereafter, all such tax collections apportioned to the state shall be deposited to the credit of the trust fund.

The monies collected pursuant to paragraphs (a) through (j) of this section that are not deposited into the trust fund shall be deposited into the Budget Contingency Fund created in Senate Bill No. 2680, 2001 Regular Session, and shall be appropriated annually by the Legislature for the support of the Minimum Education Program or to the Mississippi Adequate Education Program as successor to the Minimum Education Program.

SECTION 2. There is created in the State Treasury a special fund to be known as the Budget Contingency Fund, into which shall be deposited any funds designated for deposit therein by law. All funds in the Budget Contingency Fund shall be available for appropriation by the Legislature.

SECTION 3. This act shall take effect and be in force from and after its passage.