

*****Adopted*****

AMENDMENT No. 1 PROPOSED TO

House Bill NO. 1467

By Representative(s) Reynolds

1 **AMEND** by inserting the following language after Line 8 and by
2 renumbering succeeding sections accordingly:

3 SECTION 1. Section 57-80-5, Mississippi Code of 1972 is
4 amended as follows:

5 57-80-5. As used in this chapter, the following words and
6 phrases shall have the meanings ascribed herein unless the context
7 clearly indicates otherwise:

8 (a) "Approved business enterprise" means any business
9 enterprise seeking to locate or expand in a growth and prosperity
10 county, which business enterprise is approved by the MDA.

11 (b) "Business enterprise" means any new or expanded (i)
12 industry for the manufacturing, processing, assembling, storing,
13 warehousing, servicing, distributing or selling of any products or
14 goods, including products of agriculture; (ii) enterprises for
15 research and development, including, but not limited to,
16 scientific laboratories; or (iii) such other businesses or
17 industry as will be in furtherance of the public purposes of this
18 chapter as determined by the MDA and which creates a minimum of
19 ten (10) jobs. "Business enterprise" does not include retail or
20 gaming businesses or electrical generation facilities.

21 (c) "Eligible supervisors district" means a supervisors
22 district as such district exists on January 1, 2001:

23 (i) In which thirty percent (30%) or more of such
24 district's population as of June 30, 2000, is at or below the
25 federal poverty level according to the official data compiled by
26 the United States Census Bureau as of June 30, 2000, or the
27 official 1990 census poverty rate data;

28 (ii) Which is contiguous to a county that meets
29 the criteria of Section 37(1)(b); and

30 (iii) Which is located in a county which has been
31 issued a certificate of public convenience and necessity under
32 this chapter.

33 (d) "Growth and prosperity counties" means those
34 counties which meet the requirements of this chapter and which
35 have by resolution or order given its consent to participate in
36 the Growth and Prosperity Program.

37 (e) "Local tax" means any county or municipal ad
38 valorem tax imposed on the approved business enterprise pursuant
39 to law, except the school portion of the tax and any portion of
40 the tax imposed to pay the cost of providing fire and police
41 protection.

42 (f) "Local taxing authority" means any county or
43 municipality which by resolution or order has given its consent to
44 participate in the Growth and Prosperity Program acting through
45 its respective board of supervisors or the municipal governing
46 board, council, commission or other legal authority.

47 (g) "MDA" means the Mississippi Development Authority.

48 (h) "State tax" means any sales and use tax imposed on
49 the business enterprise pursuant to law related to the purchase of
50 component building materials and equipment for initial

51 construction of facilities or expansion of facilities in a growth
52 and prosperity county or supervisors districts, as the case may
53 be, all income tax imposed pursuant to law on income earned by the
54 business enterprise in a growth and prosperity county, or
55 supervisors district, as the case may be, and franchise tax
56 imposed pursuant to law on the value of capital used, invested or
57 employed by the business enterprise in a growth and prosperity
58 county, or supervisors district, as the case may be.

59 **AMEND FURTHER** the title to conform.