HOUSE BILL NO. 236

AN ACT TO PROVIDE THAT WHEN THE MISSISSIPPI DEVELOPMENT AUTHORITY PROVIDES AT LEAST FIFTY PERCENT OF THE FUNDS FOR CERTAIN PROJECTS WITH A TOTAL PROJECT COST OF $100,000.00 OR LESS AND WHICH ARE DESIGNED TO PROMOTE ECONOMIC DEVELOPMENT IN THE STATE, THEN ANY ENTITY RECEIVING FUNDS FOR THE PROJECT SHALL GIVE A PREFERENCE TO MISSISSIPPI BUSINESSES IN CONTRACTS AND PURCHASES FOR GOODS AND SERVICES RELATED TO THE PROJECT; AND FOR RELATED PURPOSES.

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

SECTION 1. The following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Entity" means a county, municipality, planning and development district, economic development authority or other similar organization.

(b) "Funds" means funds derived from any source, including, but not limited to, state funds, community development block grant funds, other federal funds and funds received from private sources, which are administered by the Mississippi Development Authority and are provided to an entity by any method for a project described in this act.

(c) "Mississippi business" means a corporation, individual, partnership, association, organization or other entity that is (i) domiciled in Mississippi, (ii) subject to Mississippi income tax laws, (iii) subject to Mississippi sales tax laws, and (iv) has one or more employees who are domiciled in Mississippi and subject to Mississippi income tax laws.

SECTION 2. Whenever the Mississippi Development Authority provides at least fifty percent (50%) of the funds for a project with a total project cost of One Hundred Thousand Dollars
($100,000.00) or less and which is designed to promote economic
development in the state, then any entity receiving funds for the
project shall give a preference to Mississippi businesses in all
contracts and purchases for goods and services related to the
project. In order to be eligible for the preference, a
Mississippi business must satisfy all requirements necessary to
provide goods or services to an entity for the project. The
Mississippi Development Authority may establish a formula for
granting the preference required in this section which must
improve the competitiveness of a Mississippi business's proposal
to provide goods or services by at least five percent (5%) when
compared to such a proposal from a business that is not a
Mississippi business. The Mississippi Development Authority may
adopt rules and regulations necessary to implement and administer
the provisions of this section.

SECTION 3. This act shall take effect and be in force from
and after July 1, 2002.