HOUSE BILL NO. 768

AN ACT TO CREATE A NEW CODE SECTION 27-19-56.32, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE LICENSE TAGS FOR MEMBERS OF THE MISSISSIPPI STATE GUARD; TO AMEND SECTION 27-19-44, MISSISSIPPI CODE OF 1972, TO EXEMPT SUCH DISTINCTIVE LICENSE TAGS FROM CERTAIN REQUIREMENTS FOR NEW DISTINCTIVE TAGS AUTHORIZED AFTER JULY 1, 2000; AND FOR RELATED PURPOSES.

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

SECTION 1. The following shall be codified as Section 27-19-56.32, Mississippi Code of 1972:

27-19-56.32. (1) In recognition of their patriotic services rendered the state and the citizens thereof, any owner of a motor vehicle who is a member of the Mississippi State Guard established under Section 33-5-51, upon application and payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and subject to the provisions of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying the person as a member of the Mississippi State Guard. The distinctive license tags so issued shall be of such color and design as the State Tax Commission, with the advice of the Mississippi State Guard, may prescribe, shall bear the words "Mississippi State Guard," and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) The distinctive license tags authorized in this section shall be prepared by the State Tax Commission and shall be issued through the tax collectors of the several counties of the state in the same manner as are other motor vehicle license tags, and the
tax collectors shall be entitled to their regular fees for their services. Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the State Tax Commission. Applicants for the distinctive license tags shall present to the tax collector proof of their membership in the Mississippi State Guard by means of a certificate signed by the commanding officer of the applicant on forms prescribed by the State Tax Commission. The application shall be remitted to the State Tax Commission within seven (7) days of the date the application is made.

(3) The distinctive license tags shall be used only upon and for personally or jointly owned private passenger vehicles (including station wagons, recreational motor vehicles and pickup trucks) registered in the name, or jointly in the name, of the member making application therefor, and when so issued to the applicant, shall be used upon the vehicle for which issued in lieu of the standard license tag normally issued for the vehicle.

(4) The distinctive license tags issued under this section shall not be transferable between motor vehicle owners. If the owner of a vehicle bearing a distinctive license tag sells, trades, exchanges or otherwise disposes of the vehicle, the tag shall be retained by the owner to whom issued and returned by the owner to the tax collector of the county.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and...
affidavit for a replacement distinctive license tag as provided by
Section 27-19-37.

SECTION 2. Section 27-19-44, Mississippi Code of 1972, is
amended as follows:

27-19-44. (1) Except for distinctive license plates issued
under Section 27-19-56.32, for any distinctive license tag or
plate authorized by the Legislature from and after July 1, 2000,
the requirements of this section must be met before the State Tax
Commission may prepare or issue any such license tag or plate.
The organization or other entity for which the Legislature
authorized the distinctive license tag or plate must submit proof
satisfactory to the State Tax Commission that at least one hundred
(100) of such license tags or plates will be purchased and must
deposit with the commission an amount necessary to purchase one
hundred (100) of such license tags or plates. The organization or
other entity for which the Legislature authorized the distinctive
license tag or plate must satisfy the requirements of this
subsection (1) within two (2) years after the effective date of
the law authorizing the license tag or plate in order to permit
the license tag or plate to be prepared and issued.

(2) If the organization or other entity for which the
Legislature authorized the distinctive license tag or plate meets
the requirements of subsection (1) of this section, the State Tax
Commission shall prepare and issue the distinctive license tag or
plate. If the State Tax Commission prepares and issues a
distinctive license tag or plate for the organization or other
entity, the commission shall review the number of such license
tags or plates issued during the period for the license tag or
plate series. If the number of distinctive license tags or plates
falls below one hundred (100) in the last year of the series, the
license tag or plate shall be discontinued at the end of the
period for the series.
(3) If a distinctive license tag or plate is discontinued under subsection (2) of this section, the organization or other entity for which the license tag or plate was discontinued may prepare a distinctive license tag or plate decal. The distinctive license tag or plate decal shall be of such size, color and design as may be agreed upon by the organization or other entity and the State Tax Commission. However, the State Tax Commission shall have final approval of the size, color and design of the decal. The distinctive license tag or plate decals shall be prepared and sold by the organization or other entity, and the proceeds derived from the sale of such decals shall be retained by the organization or other entity for any use deemed appropriate by the organization or other entity.

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