

By: Representative Ryals

To: Ways and Means

HOUSE BILL NO. 892

1 AN ACT TO AMEND SECTION 75-76-129, MISSISSIPPI CODE OF 1972,
 2 TO PROVIDE THAT THE DIVERSION OF A PORTION OF THE STATE'S SHARE OF
 3 TAXES, FEES AND PENALTIES COLLECTED UNDER THE MISSISSIPPI GAMING
 4 CONTROL ACT TO THE GAMING COUNTIES BOND SINKING FUND SHALL END
 5 AFTER JUNE 30, 2006; TO PROVIDE THAT BEGINNING JULY 1, 2006, A
 6 PORTION OF THE STATE'S SHARE OF TAXES, FEES AND PENALTIES
 7 COLLECTED UNDER THE MISSISSIPPI GAMING CONTROL ACT SHALL BE
 8 DEPOSITED INTO THE "NONGAMING COUNTIES SUPPLEMENTAL EDUCATION
 9 FUND"; TO CREATE THE "NONGAMING COUNTIES SUPPLEMENTAL EDUCATION
 10 FUND"; TO PROVIDE THAT MONIES IN SUCH FUND SHALL BE APPROPRIATED
 11 TO THE STATE DEPARTMENT OF EDUCATION FOR DISTRIBUTION EVENLY TO
 12 THE COUNTIES IN THE STATE WHERE GAMING IS NOT LEGAL FOR USE IN
 13 PUBLIC SCHOOLS IN SUCH COUNTIES; AND FOR RELATED PURPOSES.

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

15 **SECTION 1.** Section 75-76-129, Mississippi Code of 1972, is
 16 amended as follows:

17 **[Through June 30, 2006, this section shall read as follows:]**

18 75-76-129. On or before the last day of each month all
 19 taxes, fees, interest, penalties, damages, fines or other monies
 20 collected by the State Tax Commission during that month under the
 21 provisions of this chapter, with the exception of (a) the local
 22 government fees imposed under Section 75-76-195, and (b) an amount
 23 equal to Three Million Dollars (\$3,000,000.00) of the revenue
 24 collected pursuant to the fee imposed under Section
 25 75-76-177(1)(c), or an amount equal to twenty-five percent (25%)
 26 of the revenue collected pursuant to the fee imposed under Section
 27 75-76-177(1)(c), whichever is the greater amount, shall be paid by
 28 the State Tax Commission to the State Treasurer to be deposited in
 29 the State General Fund. The local government fees shall be
 30 distributed by the State Tax Commission pursuant to Section
 31 75-76-197. An amount equal to Three Million Dollars
 32 (\$3,000,000.00) of the revenue collected during that month



33 pursuant to the fee imposed under Section 75-76-177(1)(c) shall be
34 deposited by the State Tax Commission into the bond sinking fund
35 created in Section 65-39-3. The revenue collected during that
36 month pursuant to the fee imposed under Section 75-76-177(1)(c)
37 that is in excess of Three Million Dollars (\$3,000,000.00), but is
38 less than twenty-five percent (25%) of the amount of revenue
39 collected during that month, shall be deposited into the State
40 Highway Fund to be used exclusively for the reconstruction and
41 maintenance of highways of the State of Mississippi.

42 **[From and after July 1, 2006, through June 30, 2012, this**
43 **section shall read as follows:]**

44 75-76-129. On or before the last day of each month all
45 taxes, fees, interest, penalties, damages, fines or other monies
46 collected by the State Tax Commission during that month under the
47 provisions of this chapter, with the exception of (a) the local
48 government fees imposed under Section 75-76-195, and (b) an amount
49 equal to Three Million Dollars (\$3,000,000.00) of the revenue
50 collected pursuant to the fee imposed under Section
51 75-76-177(1)(c), or an amount equal to twenty-five percent (25%)
52 of the revenue collected pursuant to the fee imposed under Section
53 75-76-177(1)(c), whichever is the greater amount, shall be paid by
54 the State Tax Commission to the State Treasurer to be deposited in
55 the State General Fund. The local government fees shall be
56 distributed by the State Tax Commission pursuant to Section
57 75-76-197. An amount equal to Three Million Dollars
58 (\$3,000,000.00) of the revenue collected during that month
59 pursuant to the fee imposed under Section 75-76-177(1)(c) shall be
60 deposited by the State Tax Commission into the Nongaming Counties
61 Supplemental Education Fund created in Section 2 of House Bill
62 No. _____, 2002 Regular Session. The revenue collected during that
63 month pursuant to the fee imposed under Section 75-76-177(1)(c)
64 that is in excess of Three Million Dollars (\$3,000,000.00), but is
65 less than twenty-five percent (25%) of the amount of revenue



66 collected during that month, shall be deposited into the State
67 Highway Fund to be used exclusively for the reconstruction and
68 maintenance of highways of the State of Mississippi.

69 **[From and after July 1, 2012, this section shall read as**
70 **follows:]**

71 75-76-129. On or before the last day of each month, all
72 taxes, fees, interest, penalties, damages, fines or other monies
73 collected by the State Tax Commission during that month under the
74 provisions of this chapter, with the exception of (a) the local
75 government fees imposed under Section 75-76-195, and (b) an amount
76 equal to Three Million Dollars (\$3,000,000.00) of the revenue
77 collected pursuant to the fee imposed under Section
78 75-76-177(1)(c), shall be paid by the State Tax Commission to the
79 State Treasurer to be deposited in the State General fund. The
80 local government fees shall be distributed by the State Tax
81 Commission pursuant to Section 75-76-197. An amount equal to
82 Three Million Dollars \$3,000,000.00) of the revenue collected
83 during that month pursuant to the fee imposed under Section
84 75-76-177(1)(c) shall be deposited by the State Tax Commission
85 into the Nongaming Counties Supplemental Education Fund created in
86 Section 2 of House Bill
87 No. _____, 2002 Regular Session.

88 **SECTION 2.** There is created in the State Treasury a special
89 fund to be designated as the "Nongaming Counties Supplemental
90 Education Fund." The fund shall consist of such monies deposited
91 therein as provided under Section 75-76-129. Monies in the fund
92 shall be appropriated by the Legislature to the State Department
93 of Education for allocation and distribution evenly to the
94 counties in the state where gaming is not legal for use in public
95 schools in such counties. Unexpended amounts remaining in the
96 fund at the end of a fiscal year shall not lapse into the State
97 General Fund, and any interest earned or investment earnings on
98 amounts in the fund shall be deposited to the credit of the fund.



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

