

By: Representative McCoy

To: Ways and Means

HOUSE BILL NO. 1314

1 AN ACT TO AMEND SECTION 27-31-107, MISSISSIPPI CODE OF 1972,  
 2 TO REMOVE THE REQUIREMENT THAT APPLICATIONS FOR AN EXEMPTION FROM  
 3 MUNICIPAL OR COUNTY AD VALOREM TAXATION FOR A NEW ENTERPRISE OR  
 4 FOR AN EXPANSION OR ADDITION MUST BE FILED IN TRIPLICATE; TO  
 5 PROVIDE THAT SUCH APPLICATION MUST BE FILED ON OR BEFORE JUNE 1 OF  
 6 THE YEAR IMMEDIATELY FOLLOWING THE YEAR OF COMPLETION OF THE NEW  
 7 ENTERPRISE OR COMPLETION OF THE EXPANSION OR ADDITION; TO CLARIFY  
 8 THE ROLE OF THE STATE TAX COMMISSION IN DETERMINING THE  
 9 ELIGIBILITY FOR SUCH EXEMPTION; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** Section 27-31-107, Mississippi Code of 1972, is  
 12 amended as follows:

13 27-31-107. Any person, firm or corporation claiming  
 14 exemptions from municipal or county ad valorem taxation as  
 15 provided in Sections 27-31-101 through 27-31-117 shall first file  
 16 an application \* \* \* with the governing authorities of the  
 17 municipality or the county board of supervisors, as the case may  
 18 be, on or before June 1 of the year following the year of  
 19 completion of the new enterprise or completion of the expansion or  
 20 addition. Each copy shall be subscribed and sworn to by the  
 21 individual making the application or, if a firm or corporation, by  
 22 an officer or person duly authorized to do so. In the  
 23 application, full information shall be given as to the property  
 24 proposed to be exempted, the kind of articles to be manufactured,  
 25 and the date from which exemption is claimed. Each application  
 26 shall also show an itemized listing of the true value of all such  
 27 property sought to be exempted. The governing authorities of the  
 28 municipality or county board of supervisors may, by resolution  
 29 spread on its minutes, approve such application for all or any  
 30 part of the property sought to be exempted and for all or any part



31 of the authorized period of exemption. The resolution of approval  
32 shall also have an itemized listing of the true value of all  
33 property to be exempted. The \* \* \* application, together with the  
34 resolution of approval, shall be forwarded to the State Tax  
35 Commission within thirty (30) days from the date of \* \* \* the  
36 resolution. The commission shall proceed to investigate the  
37 matter and determine whether the property is eligible for the  
38 exemption. After investigation of the eligibility of the  
39 property, the commission shall certify its determination to the  
40 governing authorities of the municipality or the county board of  
41 supervisors. If such property sought to be exempted is not  
42 eligible for such exemption, as above set forth, the Tax  
43 Commission shall so certify. If the Tax Commission certifies that  
44 the applicant is eligible for an exemption, it shall be  
45 discretionary with the board of supervisors or municipal  
46 authorities as to whether they grant the exemption, but in no  
47 event shall an exemption be granted if the Tax Commission  
48 certifies that the applicant is not eligible for an exemption.  
49 The original copy of the application for exemption shall be  
50 returned to the governing authorities of the municipality or the  
51 county board of supervisors, as the case may be.

52 **SECTION 2.** This act shall take effect and be in force from  
53 and after July 1, 2002.

