SENATE BILL NO. 2578
(As Passed the Senate)

AN ACT TO AMEND SECTION 65-3-97, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION TO FOUR-LANE CERTAIN ADDITIONAL HIGHWAY SEGMENTS; TO REVISE THE MANNER IN WHICH ALL HIGHWAY PROJECTS UNDER THE JURISDICTION OF THE MISSISSIPPI TRANSPORTATION COMMISSION, EXCEPT PROJECTS IN PHASES ONE, TWO AND THREE OF THE 1987 FOUR-LANE HIGHWAY PROGRAM AND CERTAIN OTHER HIGHWAY PROJECTS, ARE PRIORITIZED; TO PROVIDE THAT THE PRIORITIES SHALL BE IN ACCORDANCE WITH A PRIORITY SCHEDULE BASED UPON A NEEDS ANALYSIS PERFORMED BY THE MISSISSIPPI TRANSPORTATION USING CERTAIN ANALYTIC METHODS AND PROCEDURES WHICH SHALL BE UPDATED ANNUALLY IF NECESSARY; TO PROVIDE THAT IN THE EVENT THE TRANSPORTATION COMMISSION DEVIATES FROM THE SCHEDULE, THE COMMISSION SHALL SPREAD THE SPECIFIC REASONS FOR SUCH DEVIATION ON ITS MINUTES TO REQUIRE THE PRIORITIZED SCHEDULE TO BE PRESENTED TO THE HIGHWAYS AND TRANSPORTATION COMMITTEE OF THE SENATE AND THE TRANSPORTATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES ON OCTOBER 1 OF EACH YEAR BEGINNING IN 2005; TO REQUIRE THE TRANSPORTATION COMMISSION TO DEDICATE NOT LESS THAN $200,000,000.00 ANNUALLY TO FUND SUCH PROGRAM BEGINNING IN FISCAL YEAR 2006; TO REQUIRE CERTAIN PROJECTS TO BE CONSIDERED AS IMMEDIATE, MID-RANGE AND LONG-RANGE NEEDS; TO REQUIRE THE MISSISSIPPI TRANSPORTATION COMMISSION TO CONSIDER CERTAIN HIGHWAY SEGMENTS FOR CERTAIN IMPROVEMENTS AND HIGHWAY MODIFICATIONS; TO AUTHORIZE ADDITIONAL FEDERAL FUNDS TO BE USED FOR THE 1987 FOUR-LANE HIGHWAY PROGRAM; TO PROVIDE THAT SUCH FEDERAL FUNDS MAY BE UTILIZED IN LIEU OF STATE FUNDING THAT WOULD OTHERWISE BE UTILIZED FOR SUCH PROGRAM; TO PROVIDE THAT THE ANNUAL TOTAL AMOUNT OF FUNDING FOR THE 1987 FOUR-LANE HIGHWAY PROGRAM SHALL NOT BE LESS THAN IT WOULD HAVE OTHERWISE BEEN WITHOUT THE UTILIZATION OF SUCH ADDITIONAL FEDERAL FUNDS; TO AMEND SECTION 75-76-129, MISSISSIPPI CODE OF 1972, TO EXTEND UNTIL JULY 1, 2022, THE DIVERSION OF GAMING FEE COLLECTIONS TO THE GAMING COUNTIES STATE-ASSISTED INFRASTRUCTURE BOND SINKING FUND; TO AMEND SECTIONS 65-39-1, 27-5-101, 27-19-99, 27-57-37, 27-65-75, 65-1-59 AND 65-39-35, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 65-3-97, Mississippi Code of 1972, is amended as follows:

65-3-97. (1) In addition to and including all other highways designated as a part of the state highway system, there is hereby designated as a part thereof a four-lane highway system to connect various areas of the state with interstate and primary

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For the segments described in subsection (3) of this section, the Mississippi Department of Transportation shall construct and reconstruct four-lane highways, that is, not less than two (2) lanes for traffic flowing in each direction, along the routes designated in this section.

(2) In the construction and reconstruction of the four-lane highway system designated in subsection (3) of this section, the Mississippi Department of Transportation may utilize the roadway of any existing highway under its jurisdiction and control and shall do so when such utilization is feasible, provided that such highways which are utilized shall be constructed to current standards for such roadways. When it is not feasible to utilize existing designated highways, the Transportation Department shall relocate such highways and construct entirely new facilities whether in urban or rural areas.

(3) Construction of the four-lane highway system designated in this subsection shall commence, proceed and be performed by the Mississippi Department of Transportation strictly in accordance with the following set of priorities established for the letting of contracts on and along various segments thereof:

(a) Of the following group of highway segments not less than fifteen percent (15%) of all contracts necessary to be let for completion of all segments within the group shall be let by June 30, 1988, not less than thirty percent (30%) of such contracts shall be let by June 30, 1989, not less than fifty percent (50%) of such contracts shall be let by June 30, 1990, not less than seventy percent (70%) of such contracts shall be let by June 30, 1991, not less than ninety percent (90%) of such contracts shall be let by June 30, 1992, and one hundred percent (100%) of such contracts shall be let by June 30, 1993:

(i) Highway segments along or near U.S. 45 beginning at the Clarke/Lauderdale county line and extending northerly to I-59; then beginning at Macon and extending northerly...
to Brooksville; then beginning at Columbus Air Force Base and extending northerly to Aberdeen; then beginning at U.S. 278 and extending northerly to Shannon; then beginning at Saltillo and extending northerly to Corinth.

(ii) Highway segments along or near U.S. 45A
beginning at U.S. 82 and extending northerly to West Point; then beginning four (4) miles south of Okolona and extending northerly to Shannon.

(iii) A highway segment along or near U.S. 49W
beginning at U.S. 49 and extending westerly through Yazoo City to the Yazoo River.

(iv) A highway segment along or near U.S. 49W
beginning at Inverness and extending northerly to Indianola.

(v) A highway segment along or near U.S. 61
beginning at Port Gibson and extending northerly to the four-lane south of Vicksburg.

(vi) Highway segments along or near U.S. 72
beginning at or near Mt. Pleasant and extending southeasterly to Mississippi 5; then beginning at Walnut and extending southeasterly to Corinth; then beginning at Strickland and extending southeasterly to Burnsville.

(vii) Highway segments along or near U.S. 78
beginning at Holly Springs and extending southeasterly to the New Albany bypass; then beginning at Mississippi 25 and extending southeasterly to Tremont.

(viii) Highway segments along or near U.S. 82
beginning at I-55 and extending easterly to Kilrue; then beginning at Eupora and extending easterly to Mathiston; then beginning at Mississippi 12 and extending easterly to the Alabama state line.

(ix) A highway segment along or near U.S. 84
beginning at I-59 and extending easterly to the Jones/Wayne county line.
(x) Highway segments along or near U.S. 98
beginning at Columbia and extending easterly to the Marion/Lamar
county line; then beginning at U.S. 49 and extending southeasterly
to the Alabama state line.

(b) Of the following group of highway segments not less
than five percent (5%) of all contracts necessary to be let for
completion of all segments within the group shall be let by June
30, 1991, not less than ten percent (10%) of such contracts shall
be let by June 30, 1992, not less than twenty-five percent (25%)
of such contracts shall be let by June 30, 1993, not less than
forty percent (40%) of such contracts shall be let by June 30,
1994, not less than fifty-five percent (55%) of such contracts
shall be let by June 30, 1995, not less than seventy percent (70%)
of such contracts shall be let by June 30, 1996, not less than
eighty-five percent (85%) of such contracts shall be let by June
30, 1997, and one hundred percent (100%) of such contracts shall
be let by June 30, 1998:

(i) Highway segments along or near Mississippi 25
beginning at Mississippi 471 and extending northeasterly to
Mississippi 43; then beginning at the Winston/Oktibbeha county
line and extending northeasterly to Starkville.

(ii) A highway segment along or near Mississippi
63 beginning at the Jackson/George county line and extending
northerly to Lucedale.

(iii) A highway segment along or near Mississippi
302 beginning at I-55 in Southaven and extending easterly to U.S.
72 at or near Mt. Pleasant.

(iv) Highway segments along or near U.S. 45
beginning at the Alabama state line and extending northerly to the
Clarke/Lauderdale county line; then beginning at Lauderdale and
extending northerly to Macon; then beginning at Aberdeen and
extending northerly to U.S. 278.
(v) A highway segment along or near U.S. 45A
beginning at West Point and extending northerly to four (4) miles
south of Okolona.

(vi) A highway segment beginning at Brooksville
along or near U.S. 45 or U.S. 45A and extending northerly to U.S.
82, such segment having been designated by the Transportation
Commission pursuant to the provisions of paragraph (1)(c) of this
section.

(vii) A highway segment along or near U.S. 49W
beginning at the Yazoo River and extending northerly to Inverness.

(viii) Highway segments along or near U.S. 61
beginning at the Louisiana state line and extending northerly to
the Wilkinson/Adams county line; then beginning at Washington and
extending northerly to Port Gibson; then beginning at Merigold and
extending northerly to Shelby; then beginning at the north end of
the Clarksdale bypass and extending northerly to the Tennessee
state line.

(ix) A highway segment along or near U.S. 72
beginning at Mississippi 5 and extending southeasterly to Walnut.

(x) A highway segment along or near U.S. 78
beginning at Tremont and extending southeasterly to the Alabama
state line.

(xi) Highway segments along or near U.S. 82
beginning at the Montgomery/Webster county line and extending
easterly to Eupora; then beginning at Mathiston and extending
easterly to Starkville.

(xii) Highway segments along or near U.S. 84
beginning at Leesdale and extending easterly to Roxie; then
beginning at Auburn Road and extending easterly to I-55; then
beginning at the east end of the Brookhaven bypass and extending
easterly to Prentiss; then beginning at the Jones/Covington county
line and extending easterly to Horse Creek; then beginning at the
Jones/Wayne county line and extending easterly to Waynesboro.
(xiii) Highway segments along or near U.S. 98
beginning at the Pike/Walthall county line and extending easterly
to Columbia; then beginning at the Marion/Lamar county line and
extending easterly to the four-lane west of Hattiesburg.

(c) Of the following group of highway segments not less
than ten percent (10%) of all contracts necessary to be let for
completion of all segments within the group shall be let by June
30, 1996, not less than twenty percent (20%) of such contracts
shall be let by June 30, 1997, not less than forty percent (40%)
of such contracts shall be let by June 30, 1998, and one hundred
percent (100%) of such contracts shall be let by June 30, 1999:

(i) A highway segment along or near Mississippi 25
beginning at Mississippi 43 and extending northeasterly to the
Winston/Oktibbeha county line.

(ii) A highway segment along or near Mississippi
63 beginning at Lucedale and extending northerly to U.S. 45 at
State Line.

(iii) A highway segment along or near U.S. 61
beginning at Shelby and extending northerly to U.S. 49.

(iv) A highway segment along or near U.S. 82
beginning at Kilmichael and extending easterly to the
Montgomery/Webster county line.

(v) Highway segments along or near U.S. 84
beginning at Eddiceton and extending easterly to Auburn Road; then
beginning at Prentiss and extending easterly to Collins; then
beginning at Waynesboro and extending easterly to the Alabama
state line.

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(4) (a) The Mississippi Department of Transportation shall
construct and reconstruct four-lane highways, that is, not less
than two (2) lanes for traffic flowing in each direction along the
following routes:
(i) A highway segment along or near Mississippi 15
beginning at I-10 and extending northerly to the
Mississippi/Tennessee state line.

(ii) A highway segment along or near Mississippi 6
beginning at or near U.S. 61 and extending easterly to or near
I-55 at or near Batesville.

(iii) A highway segment along or near Mississippi 6
beginning at or near Mississippi 9 and extending easterly to
U.S. 45.

(b) Contracts for the segments described in this
subsection shall be let by the Transportation Commission as soon
as it is possible to do so.

(c) In the construction and reconstruction of the
four-lane highway segments designated in this subsection, the
Mississippi Department of Transportation may utilize the roadway
of any existing highway under its jurisdiction and control and
shall do so when such utilization is feasible, provided that such
highways which are utilized shall be constructed to current
standards for such roadways. When it is not feasible to utilize
existing designated highways, the Transportation Department shall
relocate such highways and construct entirely new facilities
whether in urban or rural areas.

(5) (a) The Transportation Commission shall construct,
upgrade or improve the segments described in paragraphs (f), (g)
and (h) of this subsection, the projects described in Section
65-39-1 and other highway construction under its jurisdiction, in
accordance with a priority schedule based upon a needs analysis
performed by the Mississippi Department of Transportation. The
priority schedule shall be reviewed annually by the Department of
Transportation to determine if the priority schedule is in need of
revision. The analytic methods and procedures utilized by the
Mississippi Department of Transportation to perform the needs
analysis shall conform to current standards and practices of the
transportation sciences and industry as promulgated in appropriate
documentation of the United States Department of Transportation,
the Transportation Research Board, the American Association of
Highway and Transportation Officials, and other recognized and
relevant bodies. Such conforming methodologies shall be applied
utilizing considerations appropriate to the specific situation and
may include capacity analysis, traffic counting, traffic
projection, cost estimation, benefit-cost analysis, user cost
analysis, land use projections and similar analyses and
projections, so that all analyses are completed with the best
tools available at the time of the analysis. The Transportation
Commission shall establish and publish standards for setting the
priorities and in so doing may consider other factors, not in
violation of federal law, as the Transportation Commission may
consider relevant, including, but not limited to, economic
development and safety. The first determinant for construction of
highway segments shall be the year of need. "Year of need" for
purposes of this section is the year in which the level of service
on a segment is projected to deteriorate to an unacceptable level.
For segments with the same year of need, prioritization shall be
based on the volume to capacity ratio and the daily traffic
volume. In the event that the Transportation Commission deviates
from the recommended priorities presented through the needs
analysis, the commission shall spread the specific reasons for the
deviation on its minutes. The priority schedule shall reflect
immediate needs which shall be construction, upgrades and
improvements to the state highway system needed over a five-year
period based upon the criteria established in this paragraph which
shall be reviewed annually by the Mississippi Department of
Transportation. The priority schedule shall project mid-range
needs which shall include highway corridors that are projected to
reach an unacceptable level of service within ten (10) years after
each annual review of the priority schedule. The priority
schedule shall project long-range needs which shall include highway corridors that are projected to reach an unacceptable level of service ten (10) years or more after each annual review of the priority schedule.

(b) On or before October 1, 2005, and on or before October 1 of each year thereafter, the Transportation Commission shall present to the Highways and Transportation Committee of the Senate and the Transportation Committee of the House of Representatives the schedule of priorities developed as provided for in paragraph (a) of this subsection reflecting the proposed schedule of construction for segments. The proposed schedule shall be followed until later modified based on the criteria established in paragraph (a) of this subsection.

(c) The Transportation Commission shall begin letting projects based upon the prioritized schedule of need not later than January 1, 2006; however, the commission shall have the flexibility to adjust the sequencing of projects as may be required in order to maximize the utilization of available funding or to accommodate the relative requirement of each individual project.

(d) Funds deposited into the special funds created in Section 65-39-3 or 65-39-17 may only be expended as provided for in Sections 65-39-1 through 65-39-37; however, funds otherwise generated may be expended on segments included in Section 65-39-1 that are in the prioritized schedule established pursuant to this subsection, as well as other projects included in such schedule.

(e) For fiscal year 2006 and each fiscal year thereafter, the Transportation Commission shall dedicate not less than Two Hundred Million Dollars ($200,000,000.00) in state and/or federal funds to fund the program established by this subsection.

(f) The Transportation Commission and the Mississippi Department of Transportation shall, in addition to all other projects, consider the following as immediate needs when...
establishing the initial priority schedule pursuant to paragraph
(a) of this section:

(i) An Interstate highway segment along or near
I-55 beginning at or near Hernando and extending northerly to the
Tennessee state line.

(ii) A highway segment along or near Mississippi
304 beginning at or near U.S. 61 and extending easterly to or near
I-55.

(iii) A highway segment along or near U.S. 82
beginning at the east end of the proposed Greenville River Bridge
and extending northeasterly to or near Stoneville.

(iv) A highway segment along or near Mississippi
25 beginning at or near U.S. 45 and extending northerly to or near
Mississippi 23 and the portion of such segment that is described
in Section 65-3-137 shall be constructed in compliance with such
section.

(v) A highway segment along or near Mississippi
278 beginning at or near Amory and extending westerly to U.S. 45.

(vi) A highway segment along or near Mississippi
41 beginning at U.S. 45 and extending westerly to or near Okolona.

(vii) A highway segment along or near Mississippi
9 beginning at Mississippi 6 north of Pontotoc and extending
northerly to U.S. 78.

(viii) A highway segment along or near Mississippi
25 beginning at or near the Itawamba county line and extending
northerly to or near U.S. 72.

(ix) A highway segment along or near Mississippi
35 beginning at the end of the existing four-lane at Forest and
extending northerly to or near Hillsboro.

(x) A highway segment along or near Mississippi 35
beginning at or near Mississippi 487 and extending northerly to or
near Mississippi 25.
(xi) A highway segment along or near Mississippi 16 beginning at or near I-55 and extending easterly to or near Philadelphia.

(xii) An Interstate highway segment along or near I-20 beginning at the Mississippi River Bridge and extending easterly to or near U.S. 61 north.

(xiii) A highway segment consisting of two (2) lanes of construction and two (2) lanes of right-of-way acquisition beginning at the Port of Vicksburg and extending easterly to or near U.S. 61.

(xiv) An Interstate highway segment along or near I-20 beginning at or near the Clinton Raymond Road Interchange and extending easterly to or near the Mississippi 18 Interchange.

(xv) An Interstate highway segment along or near I-20 beginning at or near I-55 south and extending easterly to or near I-55 north.

(xvi) An Interstate highway segment along or near I-55 beginning at or near I-20 and extending northerly to or near the High Street Interchange.

(xvii) An Interstate highway segment along or near I-55 beginning at or near the Elton Road Interchange and extending northerly to or near I-20.

(xviii) An Interstate highway segment along or near I-59 beginning at or near U.S. 98 and extending northerly to or near U.S. 49.

(xix) A highway segment along or near Mississippi 43 beginning at or near the Hancock county line and extending westerly to or near I-59.

(xx) An Interstate highway segment along or near Canal Road (Mississippi 601) beginning at or near U.S. 90 and extending northerly to or near I-10.

(xx) An Interstate highway segment consisting of four (4) lanes along or near U.S. 49 beginning at or near I-10 and...
extending northerly to or near Lyman; then beginning at or near I-59 and extending westerly to or near U.S. 49; then beginning at or near I-59 and extending northwesterly to U.S. 49; then beginning at or near Florence and extending northerly to or near I-20.

(xxii) A highway segment at or near U.S. 49 beginning along or near Lyman and extending northerly to I-20 with geometric type improvements along the entire corridor at or near the One Hundred Million Dollar ($100,000,000.00) estimate.

(xxiii) An Interstate highway along or near I-20/59 beginning at or near the merge of I-20 and I-59 and extending easterly to or near Mississippi 39.

(xxiv) A highway segment along or near Mississippi 67 beginning at or near I-10 and extending northwesterly to or near U.S. 49.

(xxv) A highway segment along or near Mississippi 605 beginning at or near I-10 and extending northerly to or near Mississippi 67.

(xxvi) A highway segment along or near Mississippi 43 beginning at the end of the existing four-lane and extending northerly to or near Kiln.

(xxvii) A highway segment along or near Mississippi 24/Mississippi 48 beginning at or near Mississippi 33 south and extending easterly to or near Mississippi 33 north.

(xxviii) A highway segment along or near Mississippi 24/Mississippi 48 beginning at or near Mississippi 569 and extending easterly to or near I-55.

(xxix) A highway segment along or near Mississippi 27 beginning at or near I-55 and extending northerly to or near I-20.

(xxx) A highway segment along or near Mississippi 57 beginning at or near I-10 and extending northerly to or near Vancleave.
(xxxii) A highway segment along or near Mississippi 12 beginning at or near I-55 and extending to or near U.S. 51.

(xxxiii) A highway segment along or near Mississippi 18 beginning at or near Mississippi 27 and extending northerly to or near the end of the four-lane at or near Raymond.

(xxxiv) A highway segment along or near Mississippi 28 beginning at or near Fayette and extending easterly to I-55.

(g) The Transportation Commission and the Mississippi Department of Transportation shall, in addition to all other projects, consider the following as mid-range needs when establishing the initial priority schedule pursuant to paragraph (a) of this section:

(i) A highway segment along or near U.S. 49 beginning at U.S. 61 and extending northwesterly to the Arkansas state line.

(ii) A highway segment along or near Mississippi 8 beginning at or near Rosedale and extending easterly to or near Ruleville.

(iii) A highway segment along or near Mississippi 25 beginning at the end of the existing four-lane and extending northerly to or near the Tishomingo county line.

(iv) A highway segment along or near Mississippi 25 beginning at or near Mississippi 23 and extending northerly to or near U.S. 78.

(v) A highway segment along or near Kosciusko and extending northeasterly to or near Ethel; then beginning at or near Weir and extending northeasterly to or near Mississippi 15.
then beginning at or near Longview and extending northeasterly to
or near Starkville.

(vi) A highway segment along or near Mississippi 35 beginning at or near Hillsboro and extending northerly to or
near Mississippi 487.

(vii) A highway segment along or near Mississippi 35 beginning at or near Mississippi 25 and extending northerly to or
near Mississippi 12 in Kosciusko.

(viii) A highway segment along or near Mississippi 16 beginning at or near Mississippi 25 and extending easterly to
or near BIA 22.

(ix) A highway segment along or near Mississippi 22 beginning at or near Edwards and extending northeasterly to or
near Canton.

(x) An Interstate highway segment along or near
I-55 beginning at or near I-220 and extending northerly to or near
Canton.

(xi) An Interstate highway segment along or near
I-20 beginning at or near U.S. 61 north and extending easterly to
or near the Flowers Interchange.

(xii) An Interstate highway segment along or near
I-20 beginning at or near the Mississippi 18 Interchange and
extending easterly to or near I-55 south.

(xiii) An Interstate highway segment along or near
I-20 beginning at or near I-55 north and extending easterly to or
near U.S. 49.

(xiv) A highway segment along or near Mississippi 43 beginning at or near Kiln and extending northwesterly to or
near Flat Top Road.

(xv) A highway segment along or near U.S. 98
beginning at or near U.S. 84 at or near Meadville and extending
easterly to or near I-55.
(xvi) A highway segment along or near Mississippi 24/Mississippi 48 beginning at or near Woodville and extending easterly to or near Mississippi 33 south.

(xvii) A highway segment along or near Mississippi 24/Mississippi 48 beginning at or near Mississippi 33 north and extending easterly to or near Mississippi 569.

(xviii) A highway segment along or near Mississippi 12 beginning at or near U.S. 51 and extending to or near Kosciusko.

(xix) A highway segment beginning at or near Ethel and extending northeasterly to or near Weir; then beginning at or near Mississippi 15 and extending northeasterly to Longview.

(h) The Transportation Commission and the Mississippi Department of Transportation shall, in addition to all other projects, consider the following as long-range needs when establishing the initial priority schedule pursuant to paragraph (a) of this section:

(i) A highway segment along or near Mississippi 19 beginning at or near Mississippi 15 and extending northwesterly to or near Kosciusko.

(ii) An Interstate highway segment along or near I-55 beginning at or near Senatobia and extending northerly to Hernando.

(iii) An Interstate highway segment along or near I-20 beginning at or near the Flowers Interchange and extending easterly to or near Clinton Raymond Road Interchange.

(iv) An Interstate highway segment along or near I-20 beginning at or near the Brandon Crossgates Interchange and extending easterly to or near the Pelahatchie Mississippi 43 Interchange.

(v) An Interstate highway segment along or near I-55 beginning at or near the High Street Interchange and extending northerly to or near Mississippi 25.
(vi) An Interstate highway segment along or near I-55 beginning at or near Terry and extending northerly to or near the Elton Road Interchange.
(vii) An Interstate highway along or near I-20 beginning at or near Chunky and extending easterly to or near I-59.
(viii) An Interstate highway along or near I-20/59 beginning at or near Mississippi 39 and extending easterly to or near Toomsuba.
(ix) A highway segment along or near Mississippi 43 beginning at or near Flat Top Road and extending westerly to or near the Pearl River county line.
(x) A highway segment along or near Mississippi 16 beginning at or near I-55 and extending to or near U.S. 49.
(xi) A highway segment along or near Mississippi 35 beginning at the Louisiana state line and extending northerly to or near U.S. 98 at or near Foxworth.
(xii) A highway segment along or near U.S. 61 beginning at or near Redwood and extending northerly to or near U.S. 82 at or near Greenville.
(xiii) A highway segment along or near Mississippi 4 beginning at or near U.S. 61 and extending easterly to or near I-55 at or near Senatobia.
(xiv) A roadway segment along or near Lakeshore Road beginning at or near U.S. 90 and extending northerly to or near South Beach Boulevard.
(xv) A highway segment beginning at or near Ellisville and extending northerly to or near the northern city limits of Laurel.
(xvi) An Interstate highway segment along or near I-110 beginning at or near U.S. 90 and extending northerly to or near I-10.
(6) The commission shall, in addition to other projects, consider the following highway segments for improvements and highway modifications, including, but not limited to, straightening and realignment of the existing roadway, the addition of passing lanes and the widening of existing lanes, the addition of turn lanes and improvement of shoulders:

(a) Mississippi 3 from U.S. 61 to U.S. 49 West.
(b) Mississippi 3 from Tutwiler to U.S. 61.
(c) Mississippi 7 from Mississippi 9 West to I-55.
(d) Mississippi 7 from U.S. 82 to I-55.
(e) Mississippi 8 from U.S. 49 West to I-55.
(f) Mississippi 8 from I-55 to U.S. 45.
(g) Mississippi 9 from Mississippi 7 to U.S. Highway 82.
(h) Mississippi 9 from Mississippi 6 to U.S. 78.
(i) Mississippi 12 from U.S. 61 to I-55.
(j) Mississippi 12 from U.S. 82 to the Mississippi/Alabama state line.
(k) Mississippi 12 from the city limits of Ackerman to the city limits of Sturgis.
(l) Mississippi 12 from U.S. 49 West to U.S. 61.
(m) Mississippi 12 from Kosciusko to I-55.
(n) Mississippi 15 from I-10 to U.S. 98.
(o) Mississippi 15 from Mississippi 18 to I-20.
(p) Mississippi 16 from Mississippi 39 to U.S. 45.
(q) Mississippi 16 from Mississippi 39 to Philadelphia.
(r) Mississippi 18 from U.S. 61 to the city limits of Utica.
(s) Mississippi 18 from U.S. 45 to U.S. 80.
(t) Mississippi 24 from Mississippi 33 to Mississippi 48.
(u) Mississippi 28 from Mississippi 33 to I-55.
(v) Mississippi 28 from U.S. 51 to U.S. 49.
(w) Mississippi 28 from U.S. 84 to U.S. 49.

(x) Mississippi 33 from U.S. 61 to the Mississippi/Louisiana state line.

(y) Mississippi 35 from U.S. 49 to I-20.

(z) Mississippi 39 from DeKalb to the Meridian Naval Air Station.

(aa) Mississippi 42 from U.S. 84 to U.S. 49.

(bb) Mississippi 43 from Mississippi 26 to Picayune.

(cc) Mississippi 48 from Mississippi 35 to U.S. 51.

(dd) Mississippi 50 from Mississippi 15 to the Mississippi/Alabama state line.

(ee) Mississippi 69 from Columbus to the Mississippi/Alabama state line.

(ff) Mississippi 389 from Starkville to Mississippi 15.

(gg) Mississippi 469 from U.S. 49 to Mississippi 28.

(hh) Mississippi 469 from U.S. 49 to Mississippi 468.

(ii) Mississippi 550 from Mississippi 28 to I-55.

(jj) Mississippi 563 from U.S. 61 to Mississippi 33.

(kk) Mississippi 567 from Mississippi 24 to U.S. 98.

(ll) Mississippi 570 from Liberty to I-55.

(mm) Mississippi 584 from Liberty to I-55.

(nn) Mississippi 589 from U.S. 98 to I-59.

(oo) Mississippi 603 from I-10 to Kiln/Delisle Road.

(pp) Old U.S. 45 beginning in the City of Meridian at or near the old Coca-Cola Company and extending northerly approximately two (2) miles to just beyond the Town of Marion.

(qq) U.S. 49 East from Yazoo City to Tutwiler.

(rr) U.S. 49 from Tutwiler to Clarksdale.

(ss) U.S. 49 from Indianola to Clarksdale.

(tt) A highway segment in Panola County beginning at presently designated Mississippi 315 in Section 30, Township 8 South, Range 5 West, and extending southeasterly to intersect Mississippi 6 in Section 32, Township 8 South, Range 5 West.
(7) The Mississippi Transportation Commission shall conduct a feasibility study and prepare a conceptual design for a thoroughfare that encircles the City of Hattiesburg.

(8) The construction priorities established in this section shall not be construed as prohibiting the completion of highway segments which, on July 1, 1987, are included in the current three-year plan under Section 65-1-141, and for which, on July 1, 1987, grade and drainage has been completed or contracts for grade and drainage have been let. Nothing shall preclude the construction of fully controlled access highways.

(9) Contracts may be let and construction may commence and be performed concurrently on any of the highway segments designated in subsections (3), (4) and (5) of this section, notwithstanding the priorities established for the letting of contracts on the various segments designated therein, provided that funds are available and, provided that, at all times, the percentages of all contracts required to be let on the segments designated in subsection (3) * * * of this section are, in fact, let no later than the dates established therein.

(10) (a) All highway construction and reconstruction authorized under this section shall be performed by contract let on competitive bid in the manner provided by statute; however, highway segments shall be constructed in lengths of not less than ten (10) miles.

(b) It is the intent of the Legislature that not less than ten percent (10%) of the amounts authorized to be expended for construction and reconstruction of the four-lane highway segments designated in this section shall be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals. The term "socially and economically disadvantaged individuals" shall have the meaning ascribed to such term under Section 8(d) of the Small Business Act (15 USCS, Section 637(d)) and relevant subcontracting regulations.
promulgated pursuant thereto; except that women shall be presumed to be socially and economically disadvantaged individuals for the purposes of this paragraph (b).

(11) (a) Notwithstanding the provisions of subsection (10)(a) of this section, the Mississippi Transportation Commission may construct highway segments of less than ten (10) miles in length if:

(i) The segment as described in subsection (3) and (4) of this section or the schedule of priorities established in subsection (5) of this section is less than ten (10) miles in length;

(ii) The segment will connect two (2) existing four-lane highways;

(iii) The segment will connect an existing four-lane highway with an incorporated municipality;

(iv) The segment will connect an existing four-lane highway with a river, the state boundary or any other natural or man-made barrier;

(v) For a particular project, the costs of constructing a single segment of at least ten (10) miles in length would greatly exceed the aggregate costs of constructing two (2) or more segments; or

(vi) The segment is in an urban area and involves the completion of bypasses or other construction which will facilitate and accommodate major traffic movement.

(b) In any case in which the Transportation Commission authorizes the construction of a highway segment of less than ten (10) miles in length, the commission shall set forth and record in its official minutes explanation and justification therefor based upon one or more of the conditions prescribed in paragraph (a) of this subsection.

(12) (a) To assist in defraying the costs and expenses for construction, reconstruction and relocation of the four-lane
highway system described in this section, the following revenues shall be paid out of such funds made available to the Transportation Commission and the Mississippi Department of Transportation:

(i) From matched federal funds or other federal funds, Thirty-two Million Dollars ($32,000,000.00) for fiscal year 1988, Twenty-five Million Dollars ($25,000,000.00) for fiscal year 1989, Thirty Million Dollars ($30,000,000.00) for fiscal year 1990 and fifty percent (50%) of such federal funds for fiscal year 1991 and each fiscal year thereafter; and

(ii) Five Million Dollars ($5,000,000.00) from matched federal bridge replacement funds for fiscal year 1988 and each fiscal year thereafter when the segments proposed for construction contain bridges that are eligible for replacement under the Federal Aid Bridge Replacement Program.

(b) Federal funds in addition to the federal funds specified in paragraph (a) of this subsection may be used for the construction, reconstruction and relocation of the four-lane highway system described in this section. Such federal funds may be utilized in lieu of state funding that would otherwise be utilized for such system; provided, however, that the annual total amount of funding for the construction, reconstruction and relocation of the highway system described in this section shall not be less than it would have otherwise been without the utilization of such additional federal funds.

(13) The Transportation Department shall submit a report to the Legislature by January 10 of each calendar year setting forth the current status of the construction program set forth in this section to include, but not be limited to, the following information:

(a) Specific segments on which engineering is being performed or has been completed;
(b) Specific segments for which right-of-way has been acquired or is being acquired;

c) Specific segments for which construction contracts have been let;

d) Specific segments on which construction is in progress;

e) Specific segments on which construction has been completed;

(f) Projections for completion of the next step on each segment;

(g) Revenue derived for such construction program from each revenue source contained in Chapter 322, Laws, 1987, and in Chapter 557, Laws, 1994;

(h) For each fiscal year beginning in 1994, a detailed cash flow projection by source of program activities and an estimate of when the program will encounter a funding shortage due to costs exceeding original projections;

(i) A schedule of all complete and open-to-traffic highway segments and the related total cost of each segment;

(j) A schedule of all highway segments on which all contracts necessary for completion of the segments were not let as of the date required by law;

(k) A complete recap of all program receipts by source, and of all disbursements for the prior fiscal year and cumulative totals since the inception of the program as compared to projections; and

(l) A statement from the Department of Transportation regarding the status of the funding of the program based on agency cost experience and projections for the future.

The report shall be deemed submitted when ten (10) copies are submitted to the Clerk of the House of Representatives and ten (10) copies are submitted to the Secretary of the Senate.
SECTION 2. Section 75-76-129, Mississippi Code of 1972, is amended as follows:

[Through June 30, 2022, this section shall read as follows:]

75-76-129. On or before the last day of each month all taxes, fees, interest, penalties, damages, fines or other monies collected by the State Tax Commission during that month under the provisions of this chapter, with the exception of (a) the local government fees imposed under Section 75-76-195, and (b) an amount equal to Three Million Dollars ($3,000,000.00) of the revenue collected pursuant to the fee imposed under Section 75-76-177(1)(c), or an amount equal to twenty-five percent (25%) of the revenue collected pursuant to the fee imposed under Section 75-76-177(1)(c), whichever is the greater amount, shall be paid by the State Tax Commission to the State Treasurer to be deposited in the State General Fund. The local government fees shall be distributed by the State Tax Commission pursuant to Section 75-76-197. An amount equal to Three Million Dollars ($3,000,000.00) of the revenue collected during that month pursuant to the fee imposed under Section 75-76-177(1)(c) shall be deposited by the State Tax Commission into the bond sinking fund created in Section 65-39-3. The revenue collected during that month pursuant to the fee imposed under Section 75-76-177(1)(c) that is in excess of Three Million Dollars ($3,000,000.00), but is less than twenty-five percent (25%) of the amount of revenue collected during that month, shall be deposited into the State Highway Fund to be used exclusively for the reconstruction and maintenance of highways of the State of Mississippi.

[From and after July 1, 2022, this section shall read as follows:]

75-76-129. On or before the last day of each month, all taxes, fees, interest, penalties, damages, fines or other monies collected by the State Tax Commission during that month under the provisions of this chapter, with the exception of the local

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government fees imposed under Section 75-76-195, shall be paid by
the State Tax Commission to the State Treasurer to be deposited in
the State General Fund. The local government fees shall be
distributed by the State Tax Commission pursuant to Section
75-76-197.

SECTION 3. Section 65-39-1, Mississippi Code of 1972, is
amended as follows:

65-39-1. (1) The Mississippi Transportation Commission is
authorized, subject to the availability of funds in the Gaming
Counties State-Assisted Infrastructure Fund created in Section
65-39-17, to conduct feasibility studies and, pursuant to
information gathered in such studies, select routes and locations,
perform preliminary engineering, acquire necessary right-of-way
and property, construct and/or reconstruct and improve existing or
new highways, roads, streets and bridges, including two-lane,
four-lane and multi-lane roads (or segments thereof), perform
intersection improvements, provide signal retiring, turnbay
extensions, additional interchanges and other traffic
modifications, within and approaching those counties in this state
where legal gaming is being conducted or is authorized. Any
highway, road, street or bridge that is authorized to be
constructed, reconstructed or improved shall meet design standards
established by the Mississippi Department of Transportation, shall
be constructed to bear a load limit of at least eighty thousand
(80,000) pounds and, upon completion, shall become a part of the
state highway system, and thereafter shall be under the
jurisdiction of the Mississippi Transportation Commission and the
Mississippi Department of Transportation for construction and
maintenance.

(2) The projects authorized in subsection (1) of this
section shall include, but shall not be limited to, highways,
roads, streets and bridges on and along the following locations:
(a) U.S. Highway 90 from its intersection with Mississippi 607 in Hancock County to Ocean Springs, and including Lakeshore Road in Hancock County from its intersection with U.S. Highway 90 to Beach Boulevard;
(b) Mississippi 4 from U.S. Highway 61 to Mississippi 3;
(c) Mississippi 4 from Mississippi 3 to Senatobia;
(d) Lorraine/Cowan Road from U.S. Highway 90 to I-10;
(e) U.S. Highway 49 from U.S. Highway 90 to I-10 in Gulfport;
(f) Mississippi 304 beginning at the Tennessee state line at or near U.S. 72 and thence running in a southwesterly direction to intersect with U.S. 78 at or near Byhalia and thence running in a westerly direction to intersect I-55 at or near Hernando and thence running in a westerly direction to intersect with U.S. 61 in DeSoto County, with a spur extending southwesterly to or near Robinsonville in Tunica County;
(g) I-10 from Exit 28 to Exit 57;
(h) A new location from the northernmost point on I-110 to U.S. 49;
(i) U.S. Highway 61 from the Tunica County line to the Tennessee state line;
(j) (i) Four-lanes for traffic along Mississippi 16 beginning at its intersection with Mississippi 25 and extending easterly to join the existing four-lane on the west side of Carthage within the corporate boundaries;
(ii) Passing lanes and turn lanes, as needed, along Mississippi 16 beginning at a point on the east side of Carthage within the corporate boundaries where the existing four-lane ends and extending easterly to the Leake/Neshoba county line; and
(iii) Four-lanes for traffic along Mississippi 16 beginning at the Leake/Neshoba county line and extending easterly to not more than ten (10) miles east of Mississippi 15;

(k) Lorraine/Cowan Road Extension from I-10 North to relocated/reconstructed Mississippi 67;

(l) At various locations on and along U.S. Highway 82 and Mississippi 1 in the City of Greenville;

(m) At various locations on and along I-20, U.S. Highway 61 and U.S. Highway 80 in the City of Vicksburg, including a truck route from Harbor Industrial Park to U.S. Highway 61 north and an extension of South Frontage Road with railroad bridge to Interstate Highway 20;

(n) At various locations on and along U.S. Highway 61, U.S. Highway 65 and Washington Street in the City of Natchez;

(o) At various locations on and along U.S. Highway 90 in the City of Pass Christian;

(p) Mississippi 43/603 beginning where the existing four-lane ends north of I-10 and extending northerly to a point approximately one (1) mile north of Kiln where Mississippi 43/603 divides into Mississippi 43 and Mississippi 603;

(q) Mississippi 43 beginning where Mississippi 43 and Mississippi 603 divide and extending northwesterly to or near Picayune;

(r) U.S. 49 from U.S. 61 west to the Mississippi River bridge;

(s) Subject to the conditions prescribed in subsection (3) of this section, a central Harrison County connector from I-10 to U.S. 90 in the vicinity of Canal Road to the Mississippi State Port at Gulfport; and

(t) An east Harrison County connector from U.S. 90 to I-10 to be located between the Cowan-Lorraine Road interchange and the I-110 interchange.
(3) Authorization for the project described in paragraph (2)(s) of this section is conditioned upon receipt by the Mississippi Transportation Commission of a written commitment by the Mississippi Development Authority to make available for such project not less than Six Million Dollars ($6,000,000.00).

(4) If a project authorized in this section is also included in the four-lane highway program under Section 65-3-97(3), then all contracts necessary to be let for the completion of the project under this section shall be let not later than the priorities established for the letting of contracts for the project under Section 65-3-97(3). Prioritization of construction for all other projects authorized in this section shall be conducted as provided for in Section 65-3-97(4).

(5) (a) Funds for the projects authorized under this section may be provided through the issuance of bonds under Sections 65-39-5 through 65-39-33, through the issuance of notes for such purposes under Section 31-17-127 or from such monies as may be available in the Gaming Counties State-Assisted Infrastructure Fund created under Section 65-39-17.

(b) In addition to the funds provided for under paragraph (a) of this subsection, funds for the project described in subsection (2)(s) of this section also may be provided from any available federal, state, county or municipal funds authorized for such project, including the Economic Development Highway Act.

SECTION 4. Section 27-5-101, Mississippi Code of 1972, is amended as follows:

[With regard to any county which is exempt from the provisions of Section 19-2-3, this section shall read as follows:] 27-5-101. Unless otherwise provided in this section, on or before the fifteenth day of each month, all gasoline, diesel fuel or kerosene taxes which are levied under the laws of this state and collected during the previous month shall be paid and apportioned by the State Tax Commission as follows:
(a) (i) Except as otherwise provided in Section 31-17-127, from the gross amount of gasoline, diesel fuel or kerosene taxes produced by the state, there shall be deducted an amount equal to one-sixth (1/6) of principal and interest certified by the State Treasurer to the State Tax Commission to be due on the next semiannual bond and interest payment date, as required under the provisions of Chapter 130, Laws of 1938, and subsequent acts authorizing the issuance of bonds payable from gasoline, diesel fuel or kerosene tax revenue on a parity with the bonds issued under authority of said Chapter 130. The State Treasurer shall certify to the State Tax Commission on or before the fifteenth day of each month the amount to be paid to the "Highway Bonds Sinking Fund" as provided by said Chapter 130, Laws of 1938, and subsequent acts authorizing the issuance of bonds payable from gasoline, diesel fuel or kerosene tax revenue, on a parity with the bonds issued under authority of said Chapter 130; and the State Tax Commission shall, on or before the twenty-fifth day of each month, pay into the State Treasury for credit to the "Highway Bonds Sinking Fund" the amount so certified to him by the State Treasurer due to be paid into such fund each month. The payments to the "Highway Bonds Sinking Fund" shall be made out of gross gasoline, diesel fuel or kerosene tax collections before deductions of any nature are considered; however, such payments shall be deducted from the allocation to the Mississippi Department of Transportation under paragraph (c) of this section.

(ii) From collections derived from the portion of the gasoline excise tax that exceeds Seven Cents (7¢) per gallon, from the portion of the tax on aviation gas under Section 27-55-11 that exceeds Six and Four-tenths Cents (6.4¢) per gallon, from the portion of the special fuel tax levied under Sections 27-55-519 and 27-55-521, at Eighteen Cents (18¢) per gallon that exceeds Ten Cents (10¢) per gallon, from the portion of the taxes levied under Section 27-55-519, at Five and Three-fourths Cents (5.75¢) per gallon, from the portion of the taxes levied under Section 27-55-519, at Five and Three-fourths Cents (5.75¢) per gallon, from the portion of the taxes levied under Section 27-55-519, at Five and Three-fourths Cents (5.75¢) per gallon, from the portion of the taxes levied under
gallon that exceeds One Cent (1¢) per gallon on special fuel and
Five and One-fourth Cents (5.25¢) per gallon on special fuel used
as aircraft fuel, from the portion of the excise tax on compressed
gas used as a motor fuel that exceeds the rate of tax in effect on
June 30, 1987, and from the portion of the gasoline excise tax in
excess of Seven Cents (7¢) per gallon and the diesel excise tax in
excess of Ten Cents (10¢) per gallon under Section 27-61-5 there
shall be deducted:

1. An amount as provided in Section 27-65-75(4) to the credit of a special fund designated as the "Office of State Aid Road Construction."

2. An amount equal to the tax collections derived from Two Cents (2¢) per gallon of the gasoline excise tax for distribution to the State Highway Fund to be used exclusively for the construction, reconstruction and maintenance of highways of the State of Mississippi or the payment of interest and principal on bonds when specifically authorized by the Legislature for that purpose.

3. The balance shall be deposited in the State Treasury to the credit of the State Highway Fund.

(b) Subject to the provisions that said basis of distribution shall in no wise affect adversely the amount specifically pledged in paragraph (a) of this section to be paid into the "Highway Bonds Sinking Fund," the following shall be deducted from the amount produced by the state tax on gasoline, diesel fuel or kerosene tax collections, excluding collections derived from the portion of the gasoline excise tax that exceeds Seven Cents (7¢) per gallon, from the portion of the tax on aviation gas under Section 27-55-11 that exceeds Six and Four-tenths Cents (6.4¢) per gallon, from the portion of the special fuel tax levied under Sections 27-55-519 and 27-55-521, at Eighteen Cents (18¢) per gallon that exceeds Ten Cents (10¢) per gallon, from the portion of the taxes levied under Section 27-61-5, and from the portion of the excise tax in excess of Seven Cents (7¢) per gallon and the diesel excise tax in excess of Ten Cents (10¢) per gallon under Section 27-61-5 there shall be deducted:

1. An amount as provided in Section 27-65-75(4) to the credit of a special fund designated as the "Office of State Aid Road Construction."

2. An amount equal to the tax collections derived from Two Cents (2¢) per gallon of the gasoline excise tax for distribution to the State Highway Fund to be used exclusively for the construction, reconstruction and maintenance of highways of the State of Mississippi or the payment of interest and principal on bonds when specifically authorized by the Legislature for that purpose.

3. The balance shall be deposited in the State Treasury to the credit of the State Highway Fund.
27-55-519, at Five and Three-fourths Cents (5.75¢) per gallon that
exceeds One Cent (1¢) per gallon on special fuel and Five and
One-fourth Cents (5.25¢) per gallon on special fuel used as
aircraft fuel, from the portion of the excise tax on compressed
gas used as a motor fuel that exceeds the rate of tax in effect on
June 30, 1987, and from the portion of the gasoline excise tax in
excess of Seven Cents (7¢) per gallon and the diesel excise tax in
excess of Ten Cents (10¢) per gallon under Section 27-61-5:

(i) Twenty percent (20%) of such amount which
shall be earmarked and set aside for the construction,
reconstruction and maintenance of the highways and roads of the
state, provided that if such twenty percent (20%) should reduce
any county to a lesser amount than that received in the fiscal
year ending June 30, 1966, then such twenty percent (20%) shall be
reduced to a percentage to provide that no county shall receive
less than its portion for the fiscal year ending June 30, 1966;

(ii) The amount allowed as refund on gasoline or
as tax credit on diesel fuel or kerosene used for agricultural,
maritime, industrial, domestic, and nonhighway purposes;

(iii) Five percent (5%) of such amount shall be
paid to the State Highway Fund;

(iv) The amount or portion thereof authorized by
legislative appropriation to the Fisheries and Wildlife Fund
created under Section 59-21-25;

(v) The amount for deposit into the special
aviation fund under paragraph (d) of this section; and

(vi) The remainder shall be divided on a basis of
nine-fourteenths (9/14) and five-fourteenths (5/14) (being the
same basis as Four and One-half Cents (4-1/2¢) and Two and
One-half Cents (2-1/2¢) is to Seven Cents (7¢) on gasoline, and
six and forty-three one-hundredths (6.43) and three and
fifty-seven one-hundredths (3.57) is to Ten Cents (10¢) on diesel
fuel or kerosene). The amount produced by the nine-fourteenths
(9/14) division shall be allocated to the Transportation Department and paid into the State Treasury as provided in this section and in Section 27-5-103 and the five-fourteenths (5/14) division shall be returned to the counties of the state on the following basis:

1. In each fiscal year, each county shall be paid each month the same percentage of the monthly total to be distributed as was paid to that county during the same month in the fiscal year which ended April 9, 1960, until the county receives One Hundred Ninety Thousand Dollars ($190,000.00) in such fiscal year, at which time funds shall be distributed under the provisions of paragraph (b)(vi)4 of this section.

2. If after payments in 1 above, any county has not received a total of One Hundred Ninety Thousand Dollars ($190,000.00) at the end of the fiscal year ending June 30, 1961, and each fiscal year thereafter, then any available funds not distributed under 1 above shall be used to bring such county or counties up to One Hundred Ninety Thousand Dollars ($190,000.00) or such funds shall be divided equally among such counties not reaching One Hundred Ninety Thousand Dollars ($190,000.00) if there is not sufficient money to bring all the counties to said One Hundred Ninety Thousand Dollars ($190,000.00).

3. When a county has been paid an amount equal to the total which was paid to the same county during the fiscal year ended April 9, 1960, such county shall receive no further payments during the then current fiscal year until the last month of such current fiscal year, at which time distribution will be made under 2 above, except as set out in 4 below.

4. During the last month of the current fiscal year, should it be determined that there are funds available in excess of the amount distributed for the year under 1 and 2 above, then such excess funds shall be distributed among the various counties as follows:
One-third (1/3) of such excess to be divided equally among the counties;

One-third (1/3) of such excess to be paid to the counties in the proportion which the population of each county bears to the total population of the state according to the last federal census;

One-third (1/3) of such excess to be paid to the counties in the proportion which the number of square miles of each county bears to the total square miles in the state.

5. It is the declared purpose and intent of the Legislature that no county shall be paid less than was paid during the year ended April 9, 1960, unless the amount to be distributed to all counties in any year is less than the amount distributed to all counties during the year ended April 9, 1960.

The Municipal Aid Fund as established by Section 27-5-103 shall not participate in any portion of any funds allocated to any county hereunder over and above One Hundred Ninety Thousand Dollars ($190,000.00).

In any county having countywide road or bridge bonds, or supervisors district or district road or bridge bonds outstanding, which exceed, in the aggregate, twelve percent (12%) of the assessed valuation of the taxable property of the county or district, it shall be the duty of the board of supervisors to set aside not less than sixty percent (60%) of such county's share or district's share of the gasoline, diesel fuel or kerosene taxes to be used in paying the principal and interest on such road or bridge bonds as they mature.

In any county having such countywide road or bridge bonds or district road or bridge bonds outstanding which exceed, in the aggregate, eight percent (8%) of the assessed valuation of the taxable property of the county, but which do not exceed, in the aggregate, twelve percent (12%) of the assessed valuation of the taxable property of the county, it shall be the duty of the board
of supervisors to set aside not less than thirty-five percent
(35%) of such county's share of the gasoline, diesel fuel or
kerosene taxes to be used in paying the principal and interest of
such road or bridge bonds as they mature.

In any county having such countywide road or bridge bonds or
district road or bridge bonds outstanding which exceed, in the
aggregate, five percent (5%) of the assessed valuation of the
taxable property of the county, but which do not exceed, in the
aggregate, eight percent (8%) of the assessed valuation of the
taxable property of the county, it shall be the duty of the board
of supervisors to set aside not less than twenty percent (20%) of
such county's share of the gasoline, diesel fuel or kerosene taxes
to be used in paying the principal and interest of such road and
bridge bonds as they mature.

In any county having such countywide road or bridge bonds or
district road or bridge bonds outstanding which do not exceed, in
the aggregate, five percent (5%) of the assessed valuation of the
taxable property of the county, it shall be the duty of the board
of supervisors to set aside not less than ten percent (10%) of
such county's share of the gasoline, diesel fuel or kerosene taxes
to be used in paying the principal and interest on such road or
bridge bonds as they mature.

The portion of any such county's share of the gasoline,
diesel fuel or kerosene taxes thus set aside for the payment of
the principal and interest of road or bridge bonds, as provided
for in this section, shall be used first in paying the currently
maturing installments of the principal and interest of such
countywide road or bridge bonds, if there be any such countywide
road or bridge bonds outstanding, and secondly, in paying the
currently maturing installments of principal and interest of
district road or bridge bonds outstanding. It shall be the duty
of the board of supervisors to pay bonds and interest maturing in
each supervisors district out of the supervisors district's share of the gasoline, diesel fuel or kerosene taxes of such district.

The remaining portion of such county's share of the gasoline, diesel fuel or kerosene taxes, after setting aside the portion above provided for the payment of the principal and interest of bonds, shall be used in the construction and maintenance of any public highways, bridges, or culverts of the county, including the roads in special or separate road districts, in the discretion of the board of supervisors, or in paying the interest and principal of county road and bridge bonds or district road and bridge bonds, in the discretion of the board of supervisors.

In any county having no countywide road or bridge bonds or district road or bridge bonds outstanding, all such county's share of the gasoline, diesel fuel or kerosene taxes shall be used in the construction, reconstruction, and maintenance of the public highways, bridges, or culverts of the county as the board of supervisors may determine.

In every county in which there are county road bonds or seawall or road protection bonds outstanding which were issued for the purpose of building bridges or constructing public roads or seawalls, such funds shall be used in the manner provided by law.

(c) From the amount produced by the nine-fourteenths (9/14) division allocated to the Transportation Department, there shall be deducted:

(i) The amount paid to the State Treasurer for the "Highway Bonds Sinking Fund" under paragraph (a) of this section;

(ii) Any amounts due counties in accordance with Section 65-33-45 which have outstanding bonds issued for seawall or road protection purposes, issued under provisions of Chapter 319, Laws of 1924, and amendments thereto;

(iii) Beginning August 15, 2002, and on or before the fifteenth day of each month thereafter, an amount equal to one-sixth (1/6) of the principal and interest certified by the
State Treasurer to the State Tax Commission to be due on the next semiannual bond and interest payment date for the bonds issued under Sections 65-39-5 through 65-39-33. On or before the twenty-fifth day of each month the State Tax Commission shall pay into the State Treasury for credit to the Gaming Counties Bond Sinking Fund created in Section 65-39-3, the amount so certified by the State Treasurer;

(iv) Except as otherwise provided in Section 31-17-127, the remainder shall be paid by the State Tax Commission to the State Treasurer on the fifteenth day of each month next succeeding the month in which the gasoline, diesel fuel or kerosene taxes were collected to the credit of the State Highway Fund.

The funds allocated for the construction, reconstruction, and improvement of state highways, bridges, and culverts, or so much thereof as may be necessary, shall first be used in conjunction with funds supplied by the federal government for such purposes and allocated to the State Transportation Department to be expended on the state highway system. It is specifically provided hereby that the necessary portion of such funds hereinabove allocated to the State Transportation Department may be used for the prompt payment of principal and interest on highway bonds heretofore issued, including such bonds issued or to be issued under the provisions of Chapter 312, Laws of 1956, and amendments thereto.

Nothing contained in this section shall be construed to reduce the amount of such gasoline, diesel fuel or kerosene excise taxes levied by the state, allotted under the provisions of Title 65, Chapter 33, Mississippi Code of 1972, to counties in which there are outstanding bonds issued for seawall or road protection purposes issued under the provisions of Chapter 319, Laws of 1924, and amendments thereto; the amount of said gasoline, diesel fuel or kerosene excise taxes designated in this section for the
payment of bonds and interest authorized and issued or to be issued under the provisions of Chapter 130, Laws of 1938, and subsequent acts authorizing the issuance of bonds payable from gasoline, diesel fuel or kerosene tax revenue, shall, in such counties, be considered as being paid "into the State Treasury to the credit of the State Highway Fund" within the meaning of Section 65-33-45 in computing the amount to be paid to such counties under the provisions of said section, and this section shall be administered in connection with Title 65, Chapter 33, Mississippi Code of 1972, and Sections 65-33-45, 65-33-47 and 65-33-49 dealing with seawalls, as if made a part of this section.

(d) The proceeds of the Five and One-fourth Cents (5.25¢) of the tax per gallon on oils used as a propellant for jet aircraft engines, and Six and Four-tenths Cents (6.4¢) of the tax per gallon on aviation gasoline and the tax of One Cent (1¢) per gallon for each gallon of gasoline for which a refund has been made pursuant to Section 27-55-23 because such gasoline was used for aviation purposes, shall be paid to the State Treasury into a special fund to be used exclusively, pursuant to legislative appropriation, for the support and development of aeronautics as defined in Section 61-1-3.

(e) State highway funds in an amount equal to the difference between Forty-two Million Dollars ($42,000,000.00) and the annual debt service payable on the state's highway revenue refunding bonds, Series 1985, shall be expended for the construction or reconstruction of highways designated under the * * * Highway Program created under Section 65-3-97.

(f) "Gasoline, diesel fuel or kerosene taxes" as used in this section shall be deemed to mean and include state gasoline, diesel fuel or kerosene taxes levied and imposed on distributors of gasoline, diesel fuel or kerosene, and all state excise taxes derived from any fuel used to propel vehicles upon the highways of this state, when levied by any statute.
[With regard to any county which is required to operate on a countywide system of road administration as described in Section 19-2-3, this section shall read as follows:

27-5-101. Unless otherwise provided in this section, on or before the fifteenth day of each month, all gasoline, diesel fuel or kerosene taxes which are levied under the laws of this state and collected during the previous month shall be paid and apportioned by the State Tax Commission as follows:

(a) (i) Except as otherwise provided in Section 31-17-127, from the gross amount of gasoline, diesel fuel or kerosene taxes produced by the state, there shall be deducted an amount equal to one-sixth (1/6) of principal and interest certified by the State Treasurer to the State Tax Commission to be due on the next semiannual bond and interest payment date, as required under the provisions of Chapter 130, Laws of 1938, and subsequent acts authorizing the issuance of bonds payable from gasoline, diesel fuel or kerosene tax revenue on a parity with the bonds issued under authority of said Chapter 130. The State Treasurer shall certify to the State Tax Commission on or before the fifteenth day of each month the amount to be paid to the "Highway Bonds Sinking Fund" as provided by said Chapter 130, Laws of 1938, and subsequent acts authorizing the issuance of bonds payable from gasoline, diesel fuel or kerosene tax revenue, on a parity with the bonds issued under authority of said Chapter 130; and the State Tax Commission shall, on or before the twenty-fifth day of each month, pay into the State Treasury for credit to the "Highway Bonds Sinking Fund" the amount so certified to him by the State Treasurer due to be paid into such fund each month. The payments to the "Highway Bonds Sinking Fund" shall be made out of gross gasoline, diesel fuel or kerosene tax collections before deductions of any nature are considered; however, such payments shall be deducted from the allocation to the Transportation Department under paragraph (c) of this section.
(ii) From collections derived from the portion of the gasoline excise tax that exceeds Seven Cents (7¢) per gallon, from the portion of the tax on aviation gas under Section 27-55-11 that exceeds Six and Four-tenths Cents (6.4¢) per gallon, from the portion of the special fuel tax levied under Sections 27-55-519 and 27-55-521, at Eighteen Cents (18¢) per gallon that exceeds Ten Cents (10¢) per gallon, from the portion of the taxes levied under Section 27-55-519, at Five and Three-fourths Cents (5.75¢) per gallon that exceeds One Cent (1¢) per gallon on special fuel and Five and One-fourth Cents (5.25¢) per gallon on special fuel used as aircraft fuel, from the portion of the excise tax on compressed gas used as a motor fuel that exceeds the rate of tax in effect on June 30, 1987, and from the portion of the gasoline excise tax in excess of Seven Cents (7¢) per gallon and the diesel excise tax in excess of Ten Cents (10¢) per gallon under Section 27-61-5 there shall be deducted:

1. An amount as provided in Section 27-65-75(4) to the credit of a special fund designated as the "Office of State Aid Road Construction."

2. An amount equal to the tax collections derived from Two Cents (2¢) per gallon of the gasoline excise tax for distribution to the State Highway Fund to be used exclusively for the construction, reconstruction and maintenance of highways of the State of Mississippi or the payment of interest and principal on bonds when specifically authorized by the Legislature for that purpose.

3. The balance shall be deposited in the State Treasury to the credit of the State Highway Fund.

(b) Subject to the provisions that said basis of distribution shall in nowise affect adversely the amount specifically pledged in paragraph (a) of this section to be paid into the "Highway Bonds Sinking Fund," the following shall be deducted from the amount produced by the state tax on gasoline,
diesel fuel or kerosene tax collections, excluding collections derived from the portion of the gasoline excise tax that exceeds Seven Cents (7¢) per gallon, from the portion of the tax on aviation gas under Section 27-55-11 that exceeds Six and Four-tenths Cents (6.4¢) per gallon, from the portion of the special fuel tax levied under Sections 27-55-519 and 27-55-521, at Eighteen Cents (18¢) per gallon, that exceeds Ten Cents (10¢) per gallon, from the portion of the taxes levied under Section 27-55-519, at Five and Three-fourths Cents (5.75¢) that exceeds One Cent (1¢) per gallon on special fuel and Five and One-fourth Cents (5.25¢) per gallon on special fuel used as aircraft fuel, from the portion of the excise tax on compressed gas used as a motor fuel that exceeds the rate of tax in effect on June 30, 1987, and from the portion of the gasoline excise tax in excess of Seven Cents (7¢) per gallon and the diesel excise tax in excess of Ten Cents (10¢) per gallon under Section 27-61-5:

(i) Twenty percent (20%) of such amount which shall be earmarked and set aside for the construction, reconstruction and maintenance of the highways and roads of the state, provided that if such twenty percent (20%) should reduce any county to a lesser amount than that received in the fiscal year ending June 30, 1966, then such twenty percent (20%) shall be reduced to a percentage to provide that no county shall receive less than its portion for the fiscal year ending June 30, 1966;

(ii) The amount allowed as refund on gasoline or as tax credit on diesel fuel or kerosene used for agricultural, maritime, industrial, domestic and nonhighway purposes;

(iii) Five percent (5%) of such amount shall be paid to the State Highway Fund;

(iv) The amount or portion thereof authorized by legislative appropriation to the Fisheries and Wildlife Fund created under Section 59-21-25;
(v) The amount for deposit into the special aviation fund under paragraph (d) of this section; and

(vi) The remainder shall be divided on a basis of nine-fourteenths (9/14) and five-fourteenths (5/14) (being the same basis as Four and One-half Cents (4-1/2¢) and Two and One-half Cents (2-1/2¢) is to Seven Cents (7¢) on gasoline, and six and forty-three one-hundredths (6.43) and three and fifty-seven one-hundredths (3.57) is to Ten Cents (10¢) on diesel fuel or kerosene). The amount produced by the nine-fourteenths (9/14) division shall be allocated to the Transportation Department and paid into the State Treasury as provided in this section and in Section 27-5-103 and the five-fourteenths (5/14) division shall be returned to the counties of the state on the following basis:

1. In each fiscal year, each county shall be paid each month the same percentage of the monthly total to be distributed as was paid to that county during the same month in the fiscal year which ended April 9, 1960, until the county receives One Hundred Ninety Thousand Dollars ($190,000.00) in such fiscal year, at which time funds shall be distributed under the provisions of paragraph (b)(vi)4 of this section.

2. If after payments in 1 above, any county has not received a total of One Hundred Ninety Thousand Dollars ($190,000.00) at the end of the fiscal year ending June 30, 1961, and each fiscal year thereafter, then any available funds not distributed under 1 above shall be used to bring such county or counties up to One Hundred Ninety Thousand Dollars ($190,000.00) or such funds shall be divided equally among such counties not reaching One Hundred Ninety Thousand Dollars ($190,000.00) if there is not sufficient money to bring all the counties to said One Hundred Ninety Thousand Dollars ($190,000.00).

3. When a county has been paid an amount equal to the total which was paid to the same county during the
fiscal year ended April 9, 1960, such county shall receive no

further payments during the then current fiscal year until the

last month of such current fiscal year, at which time distribution

will be made under 2 above, except as set out in 4 below.

4. During the last month of the current

fiscal year, should it be determined that there are funds

available in excess of the amount distributed for the year under 1

and 2 above, then such excess funds shall be distributed among the

various counties as follows:

One-third (1/3) of such excess to be

divided equally among the counties;

One-third (1/3) of such excess to be paid

to the counties in the proportion which the population of each

county bears to the total population of the state according to the

last federal census;

One-third (1/3) of such excess to be paid

to the counties in the proportion which the number of square miles

of each county bears to the total square miles in the state.

5. It is the declared purpose and intent of

the Legislature that no county shall be paid less than was paid

during the year ended April 9, 1960, unless the amount to be

distributed to all counties in any year is less than the amount

distributed to all counties during the year ended April 9, 1960.

The Municipal Aid Fund as established by Section 27-5-103

shall not participate in any portion of any funds allocated to any

county hereunder over and above One Hundred Ninety Thousand

Dollars ($190,000.00).

In any county having road or bridge bonds outstanding which

exceed, in the aggregate, twelve percent (12%) of the assessed

valuation of the taxable property of the county, it shall be the

duty of the board of supervisors to set aside not less than sixty

percent (60%) of such county's share of the gasoline, diesel fuel
or kerosene taxes to be used in paying the principal and interest
on such road or bridge bonds as they mature.

In any county having such road or bridge bonds outstanding
which exceed, in the aggregate, eight percent (8%) of the assessed
valuation of the taxable property of the county, but which do not
exceed, in the aggregate, twelve percent (12%) of the assessed
valuation of the taxable property of the county, it shall be the
duty of the board of supervisors to set aside not less than
thirty-five percent (35%) of such county's share of the gasoline,
diesel fuel or kerosene taxes to be used in paying the principal
and interest of such road or bridge bonds as they mature.

In any county having such road or bridge bonds outstanding
which exceed, in the aggregate, five percent (5%) of the assessed
valuation of the taxable property of the county, but which do not
exceed, in the aggregate, eight percent (8%) of the assessed
valuation of the taxable property of the county, it shall be the
duty of the board of supervisors to set aside not less than twenty
percent (20%) of such county's share of the gasoline, diesel fuel
or kerosene taxes to be used in paying the principal and interest
of such road and bridge bonds as they mature.

In any county having such road or bridge bonds outstanding
which do not exceed, in the aggregate, five percent (5%) of the
assessed valuation of the taxable property of the county, it shall
be the duty of the board of supervisors to set aside not less than
ten percent (10%) of such county's share of the gasoline, diesel
fuel or kerosene taxes to be used in paying the principal and
interest on such road or bridge bonds as they mature.

The portion of any such county's share of the gasoline,
diesel fuel or kerosene taxes thus set aside for the payment of
the principal and interest of road or bridge bonds, as provided
for in this section, shall be used in paying the currently
maturing installments of the principal and interest of such road
or bridge bonds, if there be any such road or bridge bonds outstanding.

The remaining portion of such county's share of the gasoline, diesel fuel or kerosene taxes, after setting aside the portion above provided for the payment of the principal and interest of bonds, shall be used in the construction and maintenance of any public highways, bridges or culverts of the county, in the discretion of the board of supervisors.

In any county having no road or bridge bonds outstanding, all such county's share of the gasoline, diesel fuel or kerosene taxes shall be used in the construction, reconstruction and maintenance of the public highways, bridges or culverts of the county, as the board of supervisors may determine.

In every county in which there are county road bonds or seawall or road protection bonds outstanding which were issued for the purpose of building bridges or constructing public roads or seawalls, such funds shall be used in the manner provided by law.

(c) From the amount produced by the nine-fourteenths (9/14) division allocated to the Transportation Department, there shall be deducted:

(i) The amount paid to the State Treasurer for the "Highway Bonds Sinking Fund" under paragraph (a) of this section;

(ii) Any amounts due counties in accordance with Section 65-33-45 which have outstanding bonds issued for seawall or road protection purposes, issued under provisions of Chapter 319, Laws of 1924, and amendments thereto; and

(iii) Beginning August 15, 2002, and on or before the fifteenth day of each month thereafter, an amount equal to one-sixth (1/6) of the principal and interest certified by the State Treasurer to the State Tax Commission to be due on the next semiannual bond and interest payment date for the bonds issued under Sections 65-39-5 through 65-39-33. On or before the twenty-fifth day of each month the State Tax Commission shall pay

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into the State Treasury for credit to the Gaming Counties Bond

Sinking Fund created in Section 65-39-3, the amount certified by
the State Treasurer;

(iv) Except as otherwise provided in Section
31-17-127, the remainder shall be paid by the State Tax Commission
to the State Treasurer on the fifteenth day of each month next
succeeding the month in which the gasoline, diesel fuel or
kerosene taxes were collected to the credit of the State Highway
Fund.

The funds allocated for the construction, reconstruction and
improvement of state highways, bridges and culverts, or so much
thereof as may be necessary, shall first be used in conjunction
with funds supplied by the federal government for such purposes
and allocated to the Transportation Department to be expended on
the state highway system. It is specifically provided hereby that
the necessary portion of such funds hereinabove allocated to the
Transportation Department may be used for the prompt payment of
principal and interest on highway bonds heretofore issued,
including such bonds issued or to be issued under the provisions
of Chapter 312, Laws of 1956, and amendments thereto.

Nothing contained in this section shall be construed to
reduce the amount of such gasoline, diesel fuel or kerosene excise
taxes levied by the state, allotted under the provisions of Title
65, Chapter 33, Mississippi Code of 1972, to counties in which
there are outstanding bonds issued for seawall or road protection
purposes issued under the provisions of Chapter 319, Laws of 1924,
and amendments thereto; the amount of said gasoline, diesel fuel
or kerosene excise taxes designated in this section for the
payment of bonds and interest authorized and issued or to be
issued under the provisions of Chapter 130, Laws of 1938, and
subsequent acts authorizing the issuance of bonds payable from
gasoline, diesel fuel or kerosene tax revenue, shall, in such
counties, be considered as being paid "into the State Treasury to
the credit of the State Highway Fund" within the meaning of
Section 65-33-45 in computing the amount to be paid to such
counties under the provisions of said section, and this section
shall be administered in connection with Title 65, Chapter 33,
Mississippi Code of 1972, and Sections 65-33-45, 65-33-47 and
65-33-49 dealing with seawalls, as if made a part of this section.

(d) The proceeds of the Five and One-fourth Cents
(5.25¢) of the tax per gallon on oils used as a propellant for jet
aircraft engines, and Six and Four-tenths Cents (6.4¢) of the tax
per gallon on aviation gasoline and the tax of One Cent (1¢) per
gallon for each gallon of gasoline for which a refund has been
made pursuant to Section 27-55-23 because such gasoline was used
for aviation purposes, shall be paid to the State Treasury into a
special fund to be used exclusively, pursuant to legislative
appropriation, for the support and development of aeronautics as
defined in Section 61-1-3.

(e) State highway funds in an amount equal to the
difference between Forty-two Million Dollars ($42,000,000.00) and
the annual debt service payable on the state's highway revenue
refunding bonds, Series 1985, shall be expended for the
construction or reconstruction of highways designated under
the * * * Highway Program created under Section 65-3-97.

(f) "Gasoline, diesel fuel or kerosene taxes" as used
in this section shall be deemed to mean and include state
gasoline, diesel fuel or kerosene taxes levied and imposed on
distributors of gasoline, diesel fuel or kerosene, and all state
excise taxes derived from any fuel used to propel vehicles upon
the highways of this state, when levied by any statute.

SECTION 5. Section 27-19-99, Mississippi Code of 1972, is
amended as follows:

27-19-99. The State Tax Commission shall furnish the tax
collector of each county a sufficient supply of license tags or
plates and a sufficient supply of license receipts with which to
make the collection of the taxes imposed by the provisions of this article, which such tax collectors are required to collect. The license tag receipts shall be on forms prescribed by the commission. Upon the payment of the taxes and fees required by this article, the tax collector shall issue the license receipt in the form prescribed by the commission. The commission shall keep account against the tax collector for the license taxes and fees collected. The tax collector shall keep a similar account.

The tax collector shall, at the end of each month or within twenty (20) days thereafter, pay into the county road fund all privilege taxes collected by him during the preceding month upon motor vehicle privilege licenses which he is entitled to issue, less the county's commission.

The tax collector shall keep a record of the information furnished by the owners of each motor vehicle registered. The record shall be made in numerical order by tag number or decal number, whichever is appropriate. At the end of each month, or within twenty (20) days thereafter, the tax collector shall submit to the commission a copy of such record, together with the copy of each registration receipt, and shall, at the same time, remit to the commission the registration fee for each license tag or decal sold by him during the preceding month. When the tax collector shall have complied with the provisions of this section and shall have forwarded to the commission, within the time specified, all reports required of him hereunder, he shall then be entitled to retain five percent (5%) of the registration fees imposed in paragraphs (a) and (b) of Section 27-19-43, Mississippi Code of 1972, to be paid into the county general fund; otherwise the county's commission shall be forfeited. The five percent (5%) shall not apply to any additional registration fee imposed above the amounts imposed in paragraphs (a) and (b) of Section 27-19-43. The commission shall keep a record from the duplicates filed by the tax collectors of all registered vehicles.
Counties that use their existing computer system to communicate all data regarding vehicle title and registration transactions to the state's central computer system shall be allotted Fifty Cents (50¢) for each registration fee collected by the county and remitted to the State Tax Commission. Such communication must successfully pass any edit features and successfully create or update title/registration records on the network system. This amount paid to the county shall be deposited into the county general fund to be expended only for costs incurred for the purchase of equipment, software, maintenance or other costs directly related to the title/registration network system.

All monies remitted to the commission by tax collectors as registration or tag fees from the portion of the rate imposed in paragraphs (a) and (b) of Section 27-19-43, and all monies received by the commission directly as registration or tag fees from the portion of the rate imposed in paragraphs (a) and (b) of Section 27-19-43, shall be paid by the commission into the General Fund of the State Treasury on the first day of the month succeeding the month in which such fees are received by the commission. Except as otherwise provided in Section 31-17-127, all monies remitted to the commission by tax collectors as registration or tag fees from the additional rate of Five Dollars ($5.00) and all monies received by the commission directly as registration or tag fees from the additional rate of Five Dollars ($5.00) shall be paid into the State Treasury to the credit of the State Highway Fund for the construction or reconstruction of highways designated under the Highway Program created under Section 65-3-97.

SECTION 6. Section 27-57-37, Mississippi Code of 1972, is amended as follows:

27-57-37. Except as otherwise provided in Section 31-17-127, the amount received from lubricating oil excise tax, as defined in
this article, shall be deposited by the commission, in the State Treasury to the credit of the State Highway Fund, and until the date specified in Section 65-39-35, such amount shall be used for the construction or reconstruction of highways designated under the * Highway Program created under Section 65-3-97.

SECTION 7. Section 27-65-75, Mississippi Code of 1972, is amended as follows:

27-65-75. On or before the fifteenth day of each month, the revenue collected under the provisions of this chapter during the preceding month shall be paid and distributed as follows:

(1) On or before August 15, 1992, and each succeeding month thereafter through July 15, 1993, eighteen percent (18%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a municipal corporation shall be allocated for distribution to such municipality and paid to such municipal corporation. On or before August 15, 1993, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a municipal corporation shall be allocated for distribution to such municipality and paid to such municipal corporation.

A municipal corporation, for the purpose of distributing the tax under this subsection, shall mean and include all incorporated cities, towns and villages.

Monies allocated for distribution and credited to a municipal corporation under this subsection may be pledged as security for any loan received by the municipal corporation for the purpose of capital improvements as authorized under Section 57-1-303, or
loans as authorized under Section 57-44-7, or water systems
improvements as authorized under Section 41-3-16.

In any county having a county seat which is not an
incorporated municipality, the distribution provided hereunder
shall be made as though the county seat was an incorporated
municipality; however, the distribution to such municipality shall
be paid to the county treasury wherein the municipality is located
and such funds shall be used for road, bridge and street
construction or maintenance therein.

(2) On or before September 15, 1987, and each succeeding
month thereafter, from the revenue collected under this chapter
during the preceding month One Million One Hundred Twenty-five
Thousand Dollars ($1,125,000.00) shall be allocated for
distribution to municipal corporations as defined under subsection
(1) of this section in the proportion that the number of gallons
of gasoline and diesel fuel sold by distributors to consumers and
retailers in each such municipality during the preceding fiscal
year bears to the total gallons of gasoline and diesel fuel sold
by distributors to consumers and retailers in municipalities
statewide during the preceding fiscal year. The State Tax
Commission shall require all distributors of gasoline and diesel
fuel to report to the commission monthly the total number of
gallons of gasoline and diesel fuel sold by them to consumers and
retailers in each municipality during the preceding month. The
State Tax Commission shall have the authority to promulgate such
rules and regulations as is necessary to determine the number of
gallons of gasoline and diesel fuel sold by distributors to
consumers and retailers in each municipality. In determining the
percentage allocation of funds under this subsection for the
fiscal year beginning July 1, 1987, and ending June 30, 1988, the
State Tax Commission may consider gallons of gasoline and diesel
fuel sold for a period of less than one (1) fiscal year. For the
purposes of this subsection, the term "fiscal year" means the fiscal year beginning July 1 of a year.

(3) On or before September 15, 1987, and on or before the fifteenth day of each succeeding month, until the date specified in Section 65-39-35, the proceeds derived from contractors' taxes levied under Section 27-65-21 on contracts for the construction or reconstruction of highways designated under the ** Highway Program created under Section 65-3-97 shall, except as otherwise provided in Section 31-17-127, be deposited into the State Treasury to the credit of the State Highway Fund to be used to fund such ** Highway Program. The Mississippi Department of Transportation shall provide to the State Tax Commission such information as is necessary to determine the amount of proceeds to be distributed under this subsection.

(4) On or before August 15, 1994, and on or before the fifteenth day of each succeeding month through July 15, 1999, from the proceeds of gasoline, diesel fuel or kerosene taxes as provided in Section 27-5-101(a)(ii), Four Million Dollars ($4,000,000.00) shall be deposited in the State Treasury to the credit of a special fund designated as the "State Aid Road Fund," created by Section 65-9-17. On or before August 15, 1999, and on or before the fifteenth day of each succeeding month, from the total amount of the proceeds of gasoline, diesel fuel or kerosene taxes apportioned by Section 27-5-101(a)(ii), Four Million Dollars ($4,000,000.00) or an amount equal to twenty-three and one-fourth percent (23.25%) of such funds, whichever is the greater amount, shall be deposited in the State Treasury to the credit of the "State Aid Road Fund," created by Section 65-9-17. Such funds shall be pledged to pay the principal of and interest on state aid road bonds heretofore issued under Sections 19-9-51 through 19-9-77, in lieu of and in substitution for the funds heretofore allocated to counties under this section. Such funds may not be pledged for the payment of any state aid road bonds
issued after April 1, 1981; however, this prohibition against the
pledging of any such funds for the payment of bonds shall not
apply to any bonds for which intent to issue such bonds has been
published, for the first time, as provided by law prior to March
29, 1981. From the amount of taxes paid into the special fund
pursuant to this subsection and subsection (9) of this section,
there shall be first deducted and paid the amount necessary to pay
the expenses of the Office of State Aid Road Construction, as
authorized by the Legislature for all other general and special
fund agencies. The remainder of the fund shall be allocated
monthly to the several counties in accordance with the following
formula:

(a) One-third (1/3) shall be allocated to all counties
in equal shares;

(b) One-third (1/3) shall be allocated to counties
based on the proportion that the total number of rural road miles
in a county bears to the total number of rural road miles in all
counties of the state; and

(c) One-third (1/3) shall be allocated to counties
based on the proportion that the rural population of the county
bears to the total rural population in all counties of the state,
according to the latest federal decennial census.

For the purposes of this subsection, the term "gasoline,
diesel fuel or kerosene taxes" means such taxes as defined in
paragraph (f) of Section 27-5-101.

The amount of funds allocated to any county under this
subsection for any fiscal year after fiscal year 1994 shall not be
less than the amount allocated to such county for fiscal year
1994. Monies allocated to a county from the State Aid Road Fund
for fiscal year 1995 or any fiscal year thereafter that exceed the
amount of funds allocated to that county from the State Aid Road
Fund for fiscal year 1994, first must be expended by the county
for replacement or rehabilitation of bridges on the state aid road
system that have a sufficiency rating of less than twenty-five (25), according to National Bridge Inspection standards before such monies may be approved for expenditure by the State Aid Road Engineer on other projects that qualify for the use of state aid road funds. Any reference in the general laws of this state or the Mississippi Code of 1972 to Section 27-5-105 shall mean and be construed to refer and apply to subsection (4) of Section 27-65-75.

(5) One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars ($1,666,666.00) each month shall be paid into the special fund known as the "State Public School Building Fund" created and existing under the provisions of Sections 37-47-1 through 37-47-67. Such payments into said fund are to be made on the last day of each succeeding month hereafter.

(6) An amount each month beginning August 15, 1983, through November 15, 1986, as specified in Section 6 of Chapter 542, Laws of 1983, shall be paid into the special fund known as the Correctional Facilities Construction Fund created in Section 6 of Chapter 542, Laws of 1983.

(7) On or before August 15, 1992, and each succeeding month thereafter through July 15, 2000, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2) shall be deposited by the commission into the School Ad Valorem Tax Reduction Fund created pursuant to Section 37-61-35. On or before August 15, 2000, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the School Ad Valorem Tax Reduction Fund created
under Section 37-61-35 until such time that the total amount
deposited into the fund during a fiscal year equals Forty-two
Million Dollars ($42,000,000.00). Thereafter, the amounts
diverted under this subsection (7) during the fiscal year in
excess of Forty-two Million Dollars ($42,000,000.00) shall be
deposited into the Education Enhancement Fund created under
Section 37-61-33 for appropriation by the Legislature as other
education needs and shall not be subject to the percentage
appropriation requirements set forth in Section 37-61-33.

(8) On or before August 15, 1992, and each succeeding month
thereafter, nine and seventy-three one-thousandths percent
(9.073%) of the total sales tax revenue collected during the
preceding month under the provisions of this chapter, except that
collected under the provisions of Section 27-65-17(2) shall be
deposited into the Education Enhancement Fund created pursuant to
Section 37-61-33.

(9) On or before August 15, 1994, and each succeeding month
thereafter, from the revenue collected under this chapter during
the preceding month, Two Hundred Fifty Thousand Dollars
($250,000.00) shall be paid into the State Aid Road Fund.

(10) On or before August 15, 1994, and each succeeding month
thereafter through August 15, 1995, from the revenue collected
under this chapter during the preceding month, Two Million Dollars
($2,000,000.00) shall be deposited into the Motor Vehicle Ad
Valorem Tax Reduction Fund established in Section 27-51-105.

(11) Notwithstanding any other provision of this section to
the contrary, on or before February 15, 1995, and each succeeding
month thereafter, the sales tax revenue collected during the
preceding month under the provisions of Section 27-65-17(2) and
the corresponding levy in Section 27-65-23 on the rental or lease
of private carriers of passengers and light carriers of property
as defined in Section 27-51-101 shall be deposited, without

(12) Notwithstanding any other provision of this section to the contrary, on or before August 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1) on retail sales of private carriers of passengers and light carriers of property, as defined in Section 27-51-101 and the corresponding levy in Section 27-65-23 on the rental or lease of these vehicles, shall be deposited, after diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(13) On or before July 15, 1994, and on or before the fifteenth day of each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-22, which is derived from activities held on the Mississippi state fairgrounds complex, shall be paid into a special fund hereby created in the State Treasury and shall be expended pursuant to legislative appropriations solely to defray the costs of repairs and renovation at such Trade Mart and Coliseum.

(14) On or before August 15, 1998, and each succeeding month thereafter through July 15, 2005, that portion of the avails of the tax imposed in Section 27-65-23 which is derived from sales by cotton compresses or cotton warehouses and which would otherwise be paid into the General Fund, shall be deposited in an amount not to exceed Two Million Dollars ($2,000,000.00) into the special fund created pursuant to Section 69-37-39.

(15) Notwithstanding any other provision of this section to the contrary, on or before September 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-19(f), shall be deposited, without diversion, into the Telecommunications Ad Valorem Tax Reduction Fund established in Section 27-38-7.
(16) On or before August 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a project as defined in Section 57-30-1 shall be deposited, after all diversions except the diversion provided for in subsection (1) of this section, into the Sales Tax Incentive Fund created in Section 57-30-3.

(17) The remainder of the amounts collected under the provisions of this chapter shall be paid into the State Treasury to the credit of the General Fund.

(18) It shall be the duty of the municipal officials of any municipality which expands its limits, or of any community which incorporates as a municipality, to notify the commissioner of such action thirty (30) days before the effective date. Failure to so notify the commissioner shall cause such municipality to forfeit the revenue which it would have been entitled to receive during this period of time when the commissioner had no knowledge of the action. If any funds have been erroneously disbursed to any municipality or any overpayment of tax is recovered by the taxpayer, the commissioner may make correction and adjust the error or overpayment with such municipality by withholding the necessary funds from any subsequent payment to be made to the municipality.

SECTION 8. Section 65-1-59, Mississippi Code of 1972, is amended as follows:

65-1-59. (1) It shall be the duty of the Mississippi Transportation Commission to have the Mississippi Transportation Department carry out all contracts and agreements, including federal-aid projects and agreements under the County Highway Aid Law of 1946, being Sections 65-11-1 through 65-11-37, heretofore made or entered into with any county, subject, however, to applicable rules and regulations of the Federal Highway Administration. It shall be the duty of the Transportation

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Commission to continue to have the Mississippi Transportation Department maintain all state highways now under maintenance or hereafter taken over for maintenance, the purpose of this provision being to preserve the status quo of all state highways insofar as such highways have been taken over and control and jurisdiction has been assumed by the Mississippi Transportation Commission and Mississippi Transportation Department; however, except as otherwise provided in this section, if any highway or link of highway is removed from the state highway system by legislative act or by relocation or reconstruction, it shall no longer be maintained by or be under the jurisdiction of the Mississippi Transportation Commission or Mississippi Transportation Department, but shall be returned to the jurisdiction of the board of supervisors of the county or governing authorities of the municipality through which such road runs. Except as to segments of highways shorter than three (3) miles which have been or which are hereafter replaced through curve straightening or minor realignment, the Transportation Commission shall retain and have the Mississippi Transportation Department maintain as state highways all portions of U.S. highways that either before or after July 1, 1989, have been or are replaced and constructed as a part of the interstate highway system, or four-lane primary system, or which are replaced and constructed or are designated to be replaced and constructed as part of the * * * highway system under Section 65-3-97, including portions of all such highways so replaced, or which under Section 65-3-97 are designated to be replaced, by municipal bypasses; and such highways and portions thereof shall be continued to be maintained as a part of the Mississippi state highway system until removed from such system by legislative act. All such highways and portions thereof which, by virtue of the provisions of this section, are returned on or after July 1, 1989, to the jurisdiction of the Mississippi Transportation Commission shall be
maintained by the Mississippi Transportation Department only to
the traffic capacities existing at the time that they are returned
and any subsequent traffic capacity improvements or other
improvements desired by the county or municipality within which
such highway or portion thereof is located shall be performed in
accordance with highway standards approved by the Transportation
Commission and the expenses for making such improvements shall be
paid by the county or municipality; however, all highways and
portions thereof so improved by the county or municipality shall
thereafter be maintained by the Mississippi Transportation
Department. Before any highway or portion thereof is returned to
the Transportation Commission under this section, the county or
municipality having jurisdiction thereof shall remove or cause to
be removed by July 1, 1991, all right-of-way encroachments along
the entire length of the highway or portion thereof which are not
permitted by Transportation Commission and Transportation
Department policies and rules and regulations adopted pursuant to
state and federal law. Any such encroachments may be allowed to
remain only by permits issued by the Mississippi Transportation
Department in the manner and subject to the same conditions for
the issuance of permits for similar encroachments on other
highways on the state highway system. If traffic counts indicate
that any highway or portions thereof placed under the jurisdiction
of the Transportation Commission under the provisions of this
section no longer form a substantial part of the state highway
system, the Transportation Commission may request the Legislature
to remove such highways or portions thereof from the state highway
system and return said roads for maintenance to the county or
municipality in which they are located, as provided in subsection
(2) of this section. The highways which the Transportation
Department is required to continue to maintain by virtue of the
provisions of this section shall be in addition to the total
mileage limitation of eight thousand six hundred (8,600) miles provided in Section 65-3-3.

(2) The Mississippi Transportation Commission shall, no later than October 1, 1981, and October 1 each year thereafter, furnish the Transportation Committee of the House of Representatives and the Highways and Transportation Committee of the Senate a recommendation for deletion of those highways or sections of highways which should be removed from the system.

SECTION 9. Section 65-39-35, Mississippi Code of 1972, is amended as follows:

65-39-35. The date upon which the taxes and fees levied and charged under the provisions of Sections 27-55-11, 27-57-37, 27-59-11, 27-19-43, 27-19-309, 27-65-75, and Sections 27-55-519 and 27-55-521 are reduced under such sections shall be the first day of the month immediately following the date upon which:

(a) The Mississippi Transportation Commission certifies to the State Tax Commission that:

(i) The Highway Program created under Section 65-3-97 and the Gaming Counties Infrastructure Program created under Section 65-39-3, are completed and no funds are any longer necessary to pay the costs of such programs; and

(ii) The Mississippi Transportation Commission will not declare the necessity for additional borrowings under Section 65-9-27, or for additional bonds under Sections 65-39-5 through 65-39-33; and

(b) The State Treasurer certifies:

(i) That the amount on deposit in the Gaming Counties Bond Sinking Fund, together with earnings on investments to accrue to such fund, is equal to or greater than the aggregate of the entire principal, redemption premium (if any), and interest due and to become due (until the final maturity date or earlier scheduled redemption date) on all general obligation bonds issued under Sections 65-39-5 through 65-39-33; and
(ii) That all principal, interest, cost and other expenses for all bonds, notes or other borrowings under Section 65-9-27 and Section 31-17-127 (including redemption notes, if any) have been paid and are completely satisfied.

SECTION 10. This act shall take effect and be in force from and after July 1, 2002.