

By: Senator(s) Minor

To: Finance

SENATE BILL NO. 2889

1 AN ACT TO AMEND SECTION 31-31-11, MISSISSIPPI CODE OF 1972,
 2 TO PROVIDE THAT FOR THE PURPOSE OF DEFRAYING THE COSTS OF
 3 COLLECTION, THE STATE TAX COMMISSION MAY RETAIN A PORTION OF THE
 4 PROCEEDS COLLECTED FROM THE OCCUPANCY TAX THAT IS LEVIED ON HOTELS
 5 AND MOTELS IN THE CITY OF JACKSON, MISSISSIPPI, FOR THE PURPOSE OF
 6 PROVIDING FUNDS FOR THE PAYMENT OF A CERTAIN PORTION OF THE DEBT
 7 SERVICE ON BONDS ISSUED UNDER THE MISSISSIPPI TELECOMMUNICATION
 8 CONFERENCE AND TRAINING CENTER ACT AND FOR THE MAINTENANCE OF THE
 9 MISSISSIPPI TELECOMMUNICATION CONFERENCE AND TRAINING CENTER AND
 10 RENOVATIONS, IMPROVEMENTS AND ADDITIONS TO THE CENTER; TO PROVIDE
 11 THAT FOR THE PURPOSE OF DEFRAYING THE COSTS OF COLLECTION, THE
 12 STATE TAX COMMISSION MAY RETAIN A PORTION OF THE PROCEEDS
 13 COLLECTED FROM ANY TAX LEVIED UNDER THE AUTHORITY OF A LOCAL AND
 14 PRIVATE LAW OF THE STATE OF MISSISSIPPI, AND COLLECTED AND PAID TO
 15 THE STATE TAX COMMISSION IN THE SAME OR SIMILAR MANNER THAT STATE
 16 SALES TAXES ARE COLLECTED AND PAID; AND FOR RELATED PURPOSES.

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

18 **SECTION 1.** Section 31-31-11, Mississippi Code of 1972, is
 19 amended as follows:

20 31-31-11. (1) For the purpose of providing funds for the
 21 payment of a certain portion of the debt service on any bonds
 22 issued pursuant to this chapter and for the purpose of providing
 23 funds for the maintenance of the facility and renovations,
 24 improvements and additions to the facility, there is hereby
 25 levied, assessed and shall be collected from every person engaging
 26 in or doing business in the City of Jackson, Mississippi, as
 27 specified herein, a tax which may be cited as an "occupancy tax,"
 28 which shall be in addition to all other taxes now imposed. Such
 29 tax shall be upon each hotel and motel located within the City of
 30 Jackson in the amount of Seventy-five Cents (75¢) per day for each
 31 occupied room.

32 (2) Persons liable for the tax imposed herein shall add the
 33 amount of tax to the price of rooms, and in addition thereto shall
 34 collect, insofar as practicable, the amount of the tax due by him



35 from the person receiving the services or goods at the time of
36 payment therefor.

37 (3) Such tax shall be collected by and paid to the State Tax
38 Commission on a form prescribed by the State Tax Commission, in
39 the same manner that state sales taxes are collected and paid; and
40 the full enforcement provisions and all other provisions of
41 Chapter 65, Title 27, Mississippi Code of 1972, shall apply as
42 necessary to the implementation and administration of this
43 chapter.

44 (4) The proceeds of such tax, less three percent (3%)
45 thereof which shall be retained by the State Tax Commission to
46 defray the costs of collection, shall be deposited by the State
47 Tax Commission into the reserve fund created pursuant to
48 subsection (5) of this section on or before the fifteenth day of
49 the month following the month in which collected by the State Tax
50 Commission.

51 (5) There is hereby created in the State Treasury a special
52 fund to be called the "Mississippi Telecommunication Conference
53 and Training Facility Reserve Fund." Money in the fund at the end
54 of a fiscal year shall not lapse into the general fund and
55 interest earned on any amount deposited into the fund shall be
56 credited to the special fund. Money in the fund shall be used to
57 pay a portion of the debt service of the bonds issued pursuant to
58 this chapter as specified in subsection (6) of this section and to
59 provide funds for the maintenance of the facility and renovations,
60 improvements and additions to the facility.

61 (6) The amount of the debt service that shall be paid
62 annually from the reserve fund shall be the amount of the debt
63 service on bonds attributable to forty percent (40%) of the cost
64 of constructing the facility and the amount of the debt service on
65 bonds attributable to all land acquisition costs. Amounts
66 remaining in the fund in any fiscal year after the payments
67 required by this subsection for debt service, may be used by the



68 commission to provide funds for the maintenance of the facility
69 and renovations, improvements and additions to the facility.

70 (7) Before the taxes authorized by this chapter shall be
71 imposed, the municipal governing authorities of the City of
72 Jackson shall adopt a resolution declaring its intention to levy
73 the tax, setting forth the amount of such tax and establishing the
74 date on which this tax initially shall be levied and collected.
75 This date shall be not less than the first day of the second month
76 from the date of adoption of the resolution.

77 The resolution shall be published in a local newspaper at
78 least twice during the period from the adoption of the resolution
79 to the effective date of the taxation prescribed in this section,
80 with the last publication being made no later than ten (10) days
81 prior to the effective date of such taxation.

82 (8) The tax imposed pursuant to this section shall remain in
83 force and effect until the City of Jackson shall by resolution
84 rescind the tax; provided, however, that the tax imposed pursuant
85 to this section shall not be rescinded if any bonds issued
86 pursuant to this chapter remain outstanding.

87 **SECTION 2.** For any tax levied and collected under the
88 authority of a local and private law of the State of Mississippi,
89 and collected and paid to the State Tax Commission in the same or
90 similar manner that state sales taxes are collected and paid, the
91 State Tax Commission may retain three percent (3%) of the proceeds
92 of such tax for the purpose of defraying the costs incurred by the
93 commission in the collection of the tax.

94 **SECTION 3.** This act shall take effect and be in force from
95 and after its passage.

