

By: Senator(s) Nunnelee

To: Finance

SENATE BILL NO. 2206

1 AN ACT TO AMEND SECTIONS 27-31-53 AND 27-31-55, MISSISSIPPI
2 CODE OF 1972, TO AUTHORIZE THE BOARDS OF SUPERVISORS TO GRANT
3 PARTIAL AD VALOREM TAX EXEMPTIONS TO PROPERTY IN FREE PORT
4 WAREHOUSES THROUGH JUNE 30, 2013; AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 27-31-53, Mississippi Code of 1972, is
7 amended as follows:

8 [Through June 30, 2013, this section shall read as follows:]

9 27-31-53. All or a portion of the assessed value of personal
10 property in transit through this state which is (1) moving in
11 interstate commerce through or over the territory of the State of
12 Mississippi, or (2) which was consigned or transferred to a
13 licensed "free port warehouse," public or private, within the
14 State of Mississippi for storage in transit to a final destination
15 outside the State of Mississippi, whether specified when
16 transportation begins or afterward, may, in the discretion of the
17 board of supervisors of the county wherein the warehouse or
18 storage facility is located, and in the discretion of the
19 governing authorities of the municipality wherein the warehouse or
20 storage facility is located, as the case may be, and for such
21 period of time as the respective governing body may prescribe, be
22 exempt from all ad valorem taxes imposed by the respective county
23 or municipality and the property exempted therefrom shall not be
24 deemed to have acquired a situs in the State of Mississippi for
25 the purposes of such taxation. The governing authorities may
26 exempt all or a portion of the assessed value of such property.
27 Such property shall not be deprived of such exemption because



28 while in a warehouse the property is bound, divided, broken in
29 bulk, labeled, relabeled or repackaged.

30 **[From and after July 1, 2013, this section shall read as**
31 **follows:]**

32 27-31-53. All personal property in transit through this
33 state which is (1) moving in interstate commerce through or over
34 the territory of the State of Mississippi, or (2) which was
35 consigned or transferred to a licensed "free port warehouse,"
36 public or private, within the State of Mississippi for storage in
37 transit to a final destination outside the State of Mississippi,
38 whether specified when transportation begins or afterward, may, in
39 the discretion of the board of supervisors of the county wherein
40 the warehouse or storage facility is located, and in the
41 discretion of the governing authorities of the municipality
42 wherein the warehouse or storage facility is located, as the case
43 may be, and for such period of time as the respective governing
44 body may prescribe, be exempt from all ad valorem taxes imposed by
45 the respective county or municipality and the property exempted
46 therefrom shall not be deemed to have acquired a situs in the
47 State of Mississippi for the purposes of such taxation. Such
48 property shall not be deprived of exemption because while in a
49 warehouse the property is bound, divided, broken in bulk, labeled,
50 relabeled or repackaged.

51 **SECTION 2.** Section 27-31-55, Mississippi Code of 1972, is
52 amended as follows:

53 **[Through June 30, 2013, this section shall read as follows:]**

54 27-31-55. Each licensed "free port warehouse" shall file
55 with the tax assessor of each taxing jurisdiction in which such
56 warehouse or storage facility may be located an inventory of all
57 personal property consigned or transferred to such warehouse or
58 storage facility and located therein on January 1 of each year.
59 Such inventory shall be submitted on such forms and in such manner
60 as the tax assessor may prescribe and shall contain a separate



61 statement of all property eligible for exemption under Sections
62 27-31-51 through 27-31-61 and a separate statement of all property
63 consigned or transferred to such warehouse or storage facility.
64 Such inventory shall be submitted by not later than March 31 of
65 each year. Exemption shall be allowed for all eligible property
66 in the amount authorized by the governing authorities, but
67 accurate records shall be kept of all personal property shipped
68 from any such warehouse or storage facility, together with the
69 point of final destination of the same, and reports thereof shall
70 be filed with such taxing authorities of this state and in such
71 form and manner as the tax assessor may prescribe. At the
72 conclusion of each calendar year each licensee under Sections
73 27-31-51 through 27-31-61 shall calculate the actual percentage of
74 all personal property consigned or transferred to the warehouse or
75 storage facility which was shipped to a final destination outside
76 the state in relation to the total of all such personal property
77 shipped to any destination during such year. Such percentage
78 reduced proportionately by any partial exemption authorized by the
79 governing authorities shall then be applied to the total value of
80 all property contained in the inventory of such warehouse or
81 storage facility as of January 1 of such year which was consigned
82 or transferred to such warehouse or storage facility. If the
83 result thus obtained shall be less than the value of property for
84 which exemption was allowed, then the amount of such difference
85 shall be deducted from the amount of the exemption previously
86 allowed and taxes shall be levied and collected thereon by the tax
87 collecting officers concerned.

88 **[From and after July, 2013, this section shall read as**
89 **follows:]**

90 27-31-55. Each licensed "free port warehouse" shall file
91 with the tax assessor of each taxing jurisdiction in which such
92 warehouse or storage facility may be located an inventory of all
93 personal property consigned or transferred to such warehouse or



94 storage facility and located therein on January 1 of each year.
95 Such inventory shall be submitted on such forms and in such manner
96 as the tax assessor may prescribe and shall contain a separate
97 statement of all property eligible for exemption under Sections
98 27-31-51 through 27-31-61 and a separate statement of all property
99 consigned or transferred to such warehouse or storage facility.
100 Such inventory shall be submitted by not later than March 31 of
101 each year. Exemption shall be allowed for all eligible property,
102 but accurate records shall be kept of all personal property
103 shipped from any such warehouse or storage facility, together with
104 the point of final destination of the same, and reports thereof
105 shall be filed with such taxing authorities of this state and in
106 such form and manner as the tax assessor may prescribe. At the
107 conclusion of each calendar year each licensee under Sections
108 27-31-51 through 27-31-61 shall calculate the actual percentage of
109 all personal property consigned or transferred to the warehouse or
110 storage facility which was shipped to a final destination outside
111 the state in relation to the total of all such personal property
112 shipped to any destination during such year. Such percentage
113 shall then be applied to the total value of all property contained
114 in the inventory of such warehouse or storage facility as of
115 January 1 of such year which was consigned or transferred to such
116 warehouse or storage facility. If the result thus obtained shall
117 be less than the value of property for which exemption was
118 allowed, then the amount of such difference shall be deducted from
119 the amount of the exemption previously allowed and taxes shall be
120 levied and collected thereon by the tax collecting officers
121 concerned.

122 **SECTION 3.** This act shall take effect and be in force from
123 and after January 1, 2003.

