

By: Representative Moak

To: Ways and Means

## HOUSE BILL NO. 381

1 AN ACT TO PROVIDE THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY  
2 SHALL NOT ADMINISTER LOANS OR GRANTS OF FEDERAL OR STATE FUNDS FOR  
3 A CERTAIN PERIOD OF TIME TO POULTRY PROCESSORS WHO HAVE BEEN CITED  
4 BY THE IMMIGRATION AND NATURALIZATION SERVICE AS KNOWINGLY HAVING  
5 EMPLOYED ILLEGAL IMMIGRANTS; TO AMEND SECTION 57-61-14,  
6 MISSISSIPPI CODE OF 1972, TO REMOVE THE SALES TAX EXEMPTION FOR  
7 CERTAIN COMPANIES IN VIOLATION OF THE FEDERAL IMMIGRATION LAWS; TO  
8 AMEND SECTIONS 57-61-9 AND 57-61-11, MISSISSIPPI CODE OF 1972, TO  
9 PROVIDE THAT CERTAIN PRIVATE COMPANIES THAT ARE IN VIOLATION OF  
10 THE FEDERAL IMMIGRATION LAWS SHALL PAY A PENALTY ON THE REMAINING  
11 PORTION OF THEIR LOANS UNDER THE MISSISSIPPI BUSINESS INVESTMENT  
12 ACT; TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, IN  
13 CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

15 **SECTION 1.** For a period of ten (10) years from the date that  
16 a poultry processor is cited by the Immigration and Naturalization  
17 Service as knowingly having employed illegal immigrants, the  
18 Mississippi Development Authority shall not administer loans or  
19 grants of federal or state funds for the benefit of such processor  
20 under the Mississippi Business Investment Act or the Community  
21 Development Block Grant Program. After the ten-year period, the  
22 Mississippi Development Authority may make loans to such  
23 processors but shall assess a penalty of two percent (2%) greater  
24 than the current prime rate on the amount of the loan payable by  
25 the processor in monthly installments.

26 **SECTION 2.** Section 57-61-9, Mississippi Code of 1972, is  
27 amended as follows:

28 57-61-9. (1) Any private company desiring assistance from a  
29 municipality shall submit to the municipality a letter of intent  
30 to locate, expand or build a facility entirely or partially within  
31 the municipality or on land the municipality is authorized to own  
32 or otherwise acquire. The letter of intent shall include:

33           (a) Except for strategic investments, a commitment that  
34 the proposed project will create and maintain a minimum of ten  
35 (10) net new full-time equivalent jobs, will create and maintain  
36 at least a five percent (5%) increase in full-time equivalent jobs  
37 in the case of expansion of an enterprise already located at the  
38 site or at least a twenty-five percent (25%) increase in full-time  
39 equivalent jobs pursuant to subsection (9) of Section 57-61-15 and  
40 will create and maintain at least one (1) net new full-time  
41 equivalent job for every Fifteen Thousand Dollars (\$15,000.00)  
42 either loaned or granted for the project. The commitment required  
43 by this paragraph (a) shall include any jobs created prior to the  
44 effective date of this chapter resulting from contracts entered  
45 into contingent upon assistance being made available under this  
46 chapter. All jobs required to be maintained by this paragraph (a)  
47 shall be maintained until such time as any loan made under this  
48 chapter for the benefit of a private company is repaid. The  
49 letter of intent shall include a statement that the private  
50 company understands that if it is cited by the Immigration and  
51 Naturalization Service as knowingly having employed illegal  
52 immigrants, the company shall be liable for a penalty of two  
53 percent (2%) greater than the current prime rate on the remainder  
54 of the loan made for its benefit.

55           (b) A statement that the specific improvements are  
56 necessary for the efficient and cost-effective operation of the  
57 private company, together with supporting financial and  
58 engineering documentation.

59           (c) Any commitment to pay rental on, or to make loan  
60 repayments related to, the improvements to be made with funds  
61 loaned to a municipality under this chapter.

62           (d) If required by the Mississippi Development  
63 Authority, a notarized statement of willingness to grant a lien on  
64 the facility for which the improvement is being provided, in an  
65 amount and a manner to be determined by the Mississippi

66 Development Authority, which lien may be foreclosed in the event  
67 that the private company fails to operate in the facility  
68 according to the terms of the agreement and/or to collateralize  
69 the loan made for the benefit of the private company for which the  
70 improvement is being provided in an amount and manner to be  
71 determined by the Mississippi Development Authority. In the event  
72 the contractual agreement is to be entered into with a department  
73 or subsidiary of the United States government, the Mississippi  
74 Development Authority shall determine that the governmental unit  
75 will operate the proposed project for a sufficient number of years  
76 to retire the loan based on increased revenue estimates by the  
77 University Research Center and any agreement entered into shall  
78 reflect that the interest paid on any loan for such purpose shall  
79 be included in Mississippi's contributory value in the project.  
80 In the event the private company requesting the assistance is a  
81 subsidiary of another corporation, if required by the Mississippi  
82 Development Authority, any contractual agreement entered into  
83 shall also require the parent company to unconditionally warrant  
84 the performance of the subsidiary in carrying out the terms of the  
85 agreement or it shall require the subsidiary and/or the parent  
86 company to pledge assets in an amount and a manner to be  
87 determined by the Mississippi Development Authority and/or to  
88 collateralize the loan in an amount and a manner to be determined  
89 by the Mississippi Development Authority to ensure the performance  
90 of the terms of the contract.

91 (2) Upon receipt of the letter of intent from a private  
92 company, the municipality may apply to the Mississippi Development  
93 Authority for a loan or grant. The application from the  
94 municipality shall include, but not be limited to:

95 (a) A statement of the purpose of the proposed loan or  
96 grant, including a list of eligible items and the cost of each.

97 (b) A statement showing the sources of funding for the  
98 entire project, including the private company's or governmental

99 unit's investment in the project and any public and other private  
100 sources of funding.

101 (c) A certified copy of the signed letter of intent  
102 from a private company or governmental unit, as specified in this  
103 section.

104 (d) Evidence that there will be a private match of at  
105 least Three Dollars (\$3.00) for every One Dollar (\$1.00) of state  
106 assistance, except:

107 (i) In the case of ports the private match will be  
108 at least Two Dollars (\$2.00) for every One Dollar (\$1.00) of state  
109 assistance; and

110 (ii) In the case where the Mississippi Development  
111 Authority determines that a private company is a high technology  
112 enterprise the private match will be at least Two Dollars (\$2.00)  
113 for every One Dollar (\$1.00) of state assistance.

114 The Mississippi Development Authority shall establish  
115 criteria for determining whether a private company is a high  
116 technology enterprise.

117 (e) Demonstration that the private company is  
118 financially sound and is likely to fulfill the commitments made in  
119 its letter of intent.

120 (f) A proposed timetable for the provision of the  
121 improvements.

122 (g) Evidence that the project will be expeditiously  
123 carried out and completed as planned.

124 (h) A demonstration that insufficient local capital  
125 improvement funds at reasonable rates and terms are available  
126 within the necessary time to provide the needed improvement on  
127 public property. This includes local funds available through  
128 issuance of bonds or other means, state funds available through  
129 existing programs, and available federal program funds such as  
130 community development block grant funds, urban development action  
131 grant funds, and economic development administration funds.

132           (i) A demonstration that insufficient private funds are  
133 available at reasonable rates and terms within the necessary time  
134 to fund improvement on property owned by the private company.

135           (3) The Mississippi Development Authority shall consider  
136 grant and loan applications based on the following criteria:

137           (a) The number of net new full-time equivalent jobs  
138 that will be provided and the amount of additional state and local  
139 tax revenue estimated by the University Research Center to be  
140 directly generated by the private company's new investment, and  
141 additionally, as to loan applications by state agencies, the  
142 extent to which shipping through the port will be increased by the  
143 proposed port development projects, the degree to which jobs will  
144 be increased in the port area and the impact on port revenues.

145           (b) The ability to repay the principal and interest, in  
146 the case of a loan, based on increased revenue estimates and any  
147 revenue-producing provision of a contractual agreement.

148           (c) The increase in the employment base of the state.

149           The Mississippi Development Authority and the University  
150 Research Center may use the resources and capabilities of the  
151 planning and development districts in carrying out the provisions  
152 of this chapter.

153           (4) No loan shall be made in excess of the amounts which can  
154 be repaid with the increased revenues estimated by the University  
155 Research Center, provided that this subsection (4) shall not apply  
156 to loans in connection with a United States Navy home port.

157           (5) (a) Notwithstanding anything contained in this chapter,  
158 an agency of the State of Mississippi operating a state-owned  
159 port, and hereinabove identified as a "municipality" and  
160 "governmental unit" for purposes of this chapter, may make  
161 application for a loan or grant under the terms and provisions of  
162 this chapter. In addition, a public agency operating a port  
163 bordering on the Gulf of Mexico, which shall be considered to be a  
164 "municipality" or a "governmental unit" for the purposes of this

165 chapter, may make application for a loan or grant under the terms  
166 and provisions of this chapter from funds other than those funds  
167 authorized for a state-owned port under paragraph (e)(iii) of  
168 Section 57-61-11. The application shall be initiated by  
169 submission of a letter of intent to engage in a project or  
170 projects for the purpose of effecting enlargement and improvement  
171 in all facilities used and useful in attracting international and  
172 foreign commerce through the port. Projects eligible for  
173 inclusion in the letter of intent may include, but not be  
174 restricted to:

175 (i) Dredging and deepening the access channel and  
176 harbor basin of the port;

177 (ii) Effecting the enlargement of the land area of  
178 the port by reclamation;

179 (iii) Construction and installation of piling,  
180 bulkheads, docks, wharves, warehouses and appurtenances; and

181 (iv) Acquisition of facilities and equipment for  
182 handling bulk and containerized cargo.

183 (b) With respect to a state-owned port bordering on the  
184 Gulf of Mexico, the letter of intent shall include the following  
185 information and any other information required by the Mississippi  
186 Development Authority:

187 (i) Present and future annual tonnages expected as  
188 a result of the improvements.

189 (ii) Reasons why present facilities are inadequate  
190 to enable the port to compete, including limitations imposed by  
191 insufficient depth of channel and basin.

192 (iii) Increased channel and basin depths necessary  
193 to accommodate modern shipping.

194 (iv) Comparison of the percentage of the world's  
195 cargo shipping that can now be accommodated with what could be  
196 accommodated with project improvements.

197                   (v) Economic contribution to the region and state  
198 resulting from increased shipping activity.

199                   (vi) Statement of degree to which port revenues  
200 are expected to be increased as a result of projects.

201                   (vii) Financial data of port activities, including  
202 cost of project, degree of federal funding available and required  
203 local participation.

204           On or before January 1, 1989, a state-owned port described in  
205 this paragraph (b) shall submit to the Senate Finance Committee  
206 and the House Ways and Means Committee of the Mississippi  
207 Legislature a comprehensive, written report updating for each  
208 committee the information listed in items (i) through (vii) of  
209 this paragraph (b) with particular emphasis on the economic  
210 contribution to the region and state by shipping activity at the  
211 port; on financial data with respect to the degree of federal  
212 funding available and local participation in funding port  
213 activities; and on progress made in dredging and completing other  
214 improvements necessary to accommodate modern shipping.

215           (c) The Mississippi Development Authority shall  
216 consider grant and loan applications based on the following:

217                   (i) The extent to which shipping through the port  
218 will be increased by the proposed projects.

219                   (ii) The degree to which jobs will be increased in  
220 the port area.

221                   (iii) Impact on port revenues.

222                   (iv) The ability of the port to repay interest and  
223 principal in the case of a loan.

224           (6) A municipality may apply to the Mississippi Development  
225 Authority for a grant under the terms and provisions of this  
226 chapter, and the Mississippi Development Authority may award  
227 grants to a municipality subject to limitations contained in this  
228 chapter. The application shall be initiated by submission of a  
229 letter of intent to engage in a project or projects for the

230 purpose of providing improvements necessary to accommodate a  
231 United States Navy home port.

232 (7) The Legislature hereby finds and determines that  
233 financing facilities necessary to accommodate a Navy home port  
234 serves a valid public purpose in that a Navy home port will  
235 significantly contribute to the employment base of the state which  
236 is in great need of assistance; provided, that in the event such  
237 facilities are no longer required for use by the Navy as a home  
238 port, such facilities shall revert as provided in Section 59-9-21.

239 (8) Notwithstanding any provision or requirement of this  
240 chapter to the contrary, a municipality may make application for a  
241 loan under this chapter, in an amount not to exceed Five Million  
242 Dollars (\$5,000,000.00), for the purpose of acquiring and  
243 developing land to be used as a technology/industrial park for  
244 which there is a binding commitment by one or more private  
245 companies to create and maintain not less than an aggregate of  
246 three hundred (300) jobs meeting minimum criteria established by  
247 the Mississippi Development Authority. Such a commitment by a  
248 private company shall not disqualify the private company from  
249 obtaining assistance under this section. The match requirements  
250 of this section shall not apply to any loan made pursuant to this  
251 subsection (8).

252 (9) Notwithstanding any provision or requirement of this  
253 chapter to the contrary, a municipality operating a county-owned  
254 port or municipally owned port may make application for a loan  
255 under this chapter, in an amount not to exceed Three Million  
256 Dollars (\$3,000,000.00), for the purpose of acquiring land,  
257 buildings and other improvements and for repairing, renovating,  
258 maintaining and improving such a port.

259 (10) (a) A municipality is authorized to negotiate a  
260 contract for the acquisition, construction and erection of a  
261 project or any portion of a project hereunder where a municipality  
262 finds that, because of the particular nature of a project or any



263 portion thereof, it would be in the best public interest of the  
264 municipality to negotiate.

265 (b) Contracts by a private company for the acquisition,  
266 construction or erection of a project which receives assistance  
267 under this chapter shall be effected in the manner prescribed by  
268 law for public contracts, unless the Mississippi Development  
269 Authority makes a written finding that, because of special  
270 circumstances with respect to the projects or any portion thereof,  
271 it would better serve the public interest or more effectively  
272 achieve the purposes of this chapter to enter into such contracts  
273 based on negotiation.

274 (11) A municipality is authorized upon such terms and  
275 conditions as the municipality may deem advisable, provided such  
276 terms and conditions shall not be in conflict with the provisions  
277 of this chapter, to (a) acquire, whether by construction,  
278 purchase, gift or lease, all of or any portion of a project  
279 hereunder; (b) to lease or sell to others all of or any portion of  
280 a project hereunder; and (c) to lend to the private company the  
281 proceeds of the loan from the board to such municipality.

282 (12) All agreements between a municipality and a private  
283 company related directly or indirectly to a project or a portion  
284 of a project to be funded in whole or in part under this chapter  
285 are subject to approval by the Mississippi Development Authority.

286 **SECTION 3.** Section 57-61-11, Mississippi Code of 1972, is  
287 amended as follows:

288 57-61-11. The Mississippi Development Authority shall  
289 establish such guidelines, rules and regulations for the repayment  
290 of funds loaned pursuant to this chapter as may be necessary.  
291 These provisions shall include, but not be limited to, the  
292 following:

293 (a) Funds may be loaned for a maximum of ten (10) years  
294 or the estimated useful life of the property as established by the  
295 United States Department of Treasury, whichever is greater.

296 (b) The rate of interest charged by the Mississippi  
297 Development Authority for improvements not on publicly owned  
298 property may be negotiated by the Mississippi Development  
299 Authority. Private companies that are cited by the Immigration  
300 and Naturalization Service for knowingly having employed illegal  
301 immigrants shall be liable for a penalty equal to two percent (2%)  
302 greater than the current prime rate for the remainder of the loans  
303 made for their benefit. The penalty shall be payable in monthly  
304 installments.

305 (c) For all improvements funded through this chapter  
306 which occur on publicly owned property, repayment of funds loaned  
307 may, in the discretion of the Mississippi Development Authority,  
308 involve only the principal amount loaned with no interest charged  
309 thereon.

310 (d) An audit by a certified public accountant of all  
311 costs of a project hereunder must be submitted to the Mississippi  
312 Development Authority not later than ninety (90) days after a  
313 project's completion. Such an audit shall certify that all of the  
314 funds loaned or granted pursuant to this chapter were disbursed in  
315 accordance with the terms of this chapter and shall be paid for by  
316 the private company benefited by the project.

317 (e) Notwithstanding the foregoing, in the case of an  
318 application under Section 57-61-9(5)(a), the guidelines shall  
319 include, but not be limited to, the following:

320 (i) Funds may be loaned for a maximum of twenty  
321 (20) years, or the estimated useful life of improvements on the  
322 land areas of the port, whichever is greater.

323 (ii) The rate of interest charged by the  
324 Mississippi Development Authority for loans for port projects may  
325 be negotiated by the Mississippi Development Authority and shall  
326 be consistent with Section 57-61-11(b) and (c).

327 (iii) The total of grants and loans to any one (1)  
328 state-owned port made pursuant to an application under Section

329 57-61-9(5)(a) shall not exceed Twenty Million Dollars  
330 (\$20,000,000.00).

331 (iv) Before any loan or grant may be made under  
332 Section 57-61-9(5)(a) to a state-owned port bordering the Gulf of  
333 Mexico, the applicant shall make adequate assurance to the  
334 Mississippi Development Authority that federal participation in  
335 the cost of the project or projects has been committed contingent  
336 only upon availability of local participation in accordance with  
337 federal guidelines.

338 (v) Notwithstanding any provision of this chapter  
339 to the contrary, the Mississippi Development Authority shall  
340 utilize not more than Four Million Dollars (\$4,000,000.00) out of  
341 the proceeds of bonds authorized to be issued in this chapter to  
342 be made available as interest-bearing loans to state-owned ports  
343 for the purpose of repairing, renovating, maintaining and  
344 improving the state-owned port. The Mississippi Development  
345 Authority shall establish an amortization schedule for the  
346 repayment of any loans made pursuant to this subparagraph. The  
347 state-owned port shall not spend any revenues for other purposes  
348 unless payments on the loan are being timely made according to the  
349 amortization schedule. The match requirements of this section and  
350 Section 57-61-9 shall not apply to any loan made pursuant to this  
351 subparagraph.

352 (f) Notwithstanding any provision of this chapter to  
353 the contrary, the Mississippi Development Authority shall utilize  
354 not more than Three Million Dollars (\$3,000,000.00) out of the  
355 proceeds of bonds authorized to be issued in this chapter for the  
356 purpose of making loans to municipalities operating county-owned  
357 ports or municipally owned ports for the purpose of acquiring  
358 land, buildings and other improvements and for repairing,  
359 renovating, maintaining and improving such ports. The Mississippi  
360 Development Authority shall establish an amortization schedule for  
361 the repayment of any loans made pursuant to this paragraph (f). A

362 municipality shall not spend any port revenues for other purposes  
363 unless payments on the loan are being timely made according to the  
364 amortization schedule.

365 (g) For a period of ten (10) years from the date that a  
366 private company is cited by the Immigration and Naturalization  
367 Service as knowingly having employed illegal immigrants, the  
368 Mississippi Development Authority shall not make any loan funds  
369 available under this chapter to such company.

370 **SECTION 4.** Section 57-61-14, Mississippi Code of 1972, is  
371 amended as follows:

372 57-61-14. In accordance with Section 27-65-111, purchases of  
373 tangible personal property or services by a private company, as  
374 defined in this chapter, with proceeds of bonds issued under this  
375 chapter, shall be exempt from sales tax. If the private company  
376 is cited by the Immigration and Naturalization Service as  
377 knowingly having employed illegal immigrants, the company shall  
378 not be exempt from sales tax under this section for a period of  
379 ten (10) years from the date of the violation.

380 **SECTION 5.** Section 27-65-111, Mississippi Code of 1972, is  
381 amended as follows:

382 27-65-111. The exemptions from the provisions of this  
383 chapter which are not industrial, agricultural or governmental, or  
384 which do not relate to utilities or taxes, or which are not  
385 properly classified as one of the exemption classifications of  
386 this chapter, shall be confined to persons or property exempted by  
387 this section or by the Constitution of the United States or the  
388 State of Mississippi. No exemptions as now provided by any other  
389 section, except the classified exemption sections of this chapter  
390 set forth herein, shall be valid as against the tax herein levied.  
391 Any subsequent exemption from the tax levied hereunder, except as  
392 indicated above, shall be provided by amendments to this section.

393 No exemption provided in this section shall apply to taxes  
394 levied by Section 27-65-15 or 27-65-21, Mississippi Code of 1972.

395           The tax levied by this chapter shall not apply to the  
396 following:

397           (a) Sales of tangible personal property and services to  
398 hospitals or infirmaries owned and operated by a corporation or  
399 association in which no part of the net earnings inures to the  
400 benefit of any private shareholder, group or individual, and which  
401 are subject to and governed by Sections 41-7-123 through 41-7-127.

402           Only sales of tangible personal property or services which  
403 are ordinary and necessary to the operation of such hospitals and  
404 infirmaries are exempted from tax.

405           (b) Sales of daily or weekly newspapers, and  
406 periodicals or publications of scientific, literary or educational  
407 organizations exempt from federal income taxation under Section  
408 501(c)(3) of the Internal Revenue Code of 1954, as it exists as of  
409 March 31, 1975, and subscription sales of all magazines.

410           (c) Sales of coffins, caskets and other materials used  
411 in the preparation of human bodies for burial.

412           (d) Sales of tangible personal property for immediate  
413 export to a foreign country.

414           (e) Sales of tangible personal property to an  
415 orphanage, old men's or ladies' home, supported wholly or in part  
416 by a religious denomination, fraternal nonprofit organization or  
417 other nonprofit organization.

418           (f) Sales of tangible personal property, labor or  
419 services taxable under Sections 27-65-17, 27-65-19 and 27-65-23,  
420 to a YMCA, YWCA, a Boys' or Girls' Club owned and operated by a  
421 corporation or association in which no part of the net earnings  
422 inures to the benefit of any private shareholder, group or  
423 individual.

424           (g) Sales to elementary and secondary grade schools,  
425 junior and senior colleges owned and operated by a corporation or  
426 association in which no part of the net earnings inures to the  
427 benefit of any private shareholder, group or individual, and which

428 are exempt from state income taxation, provided that this  
429 exemption does not apply to sales of property or services which  
430 are not to be used in the ordinary operation of the school, or  
431 which are to be resold to the students or the public.

432 (h) The gross proceeds of retail sales and the use or  
433 consumption in this state of drugs and medicines:

434 (i) Prescribed for the treatment of a human being  
435 by a person authorized to prescribe the medicines, and dispensed  
436 or prescription filled by a registered pharmacist in accordance  
437 with law; or

438 (ii) Furnished by a licensed physician, surgeon,  
439 dentist or podiatrist to his own patient for treatment of the  
440 patient; or

441 (iii) Furnished by a hospital for treatment of any  
442 person pursuant to the order of a licensed physician, surgeon,  
443 dentist or podiatrist; or

444 (iv) Sold to a licensed physician, surgeon,  
445 podiatrist, dentist or hospital for the treatment of a human  
446 being; or

447 (v) Sold to this state or any political  
448 subdivision or municipal corporation thereof, for use in the  
449 treatment of a human being or furnished for the treatment of a  
450 human being by a medical facility or clinic maintained by this  
451 state or any political subdivision or municipal corporation  
452 thereof.

453 "Medicines," as used in this paragraph (h), shall mean and  
454 include any substance or preparation intended for use by external  
455 or internal application to the human body in the diagnosis, cure,  
456 mitigation, treatment or prevention of disease and which is  
457 commonly recognized as a substance or preparation intended for  
458 such use; provided that "medicines" do not include any auditory,  
459 prosthetic, ophthalmic or ocular device or appliance, any dentures  
460 or parts thereof or any artificial limbs or their replacement

461 parts, articles which are in the nature of splints, bandages,  
462 pads, compresses, supports, dressings, instruments, apparatus,  
463 contrivances, appliances, devices or other mechanical, electronic,  
464 optical or physical equipment or article or the component parts  
465 and accessories thereof, or any alcoholic beverage or any other  
466 drug or medicine not commonly referred to as a prescription drug.

467 Notwithstanding the preceding sentence of this paragraph (h),  
468 "medicines" as used in this paragraph (h), shall mean and include  
469 sutures, whether or not permanently implanted, bone screws, bone  
470 pins, pacemakers and other articles permanently implanted in the  
471 human body to assist the functioning of any natural organ, artery,  
472 vein or limb and which remain or dissolve in the body.

473 "Hospital," as used in this paragraph (h), shall have the  
474 meaning ascribed to it in Section 41-9-3, Mississippi Code of  
475 1972.

476 Insulin furnished by a registered pharmacist to a person for  
477 treatment of diabetes as directed by a physician shall be deemed  
478 to be dispensed on prescription within the meaning of this  
479 paragraph (h).

480 (i) Retail sales of automobiles, trucks and  
481 truck-tractors if exported from this state within forty-eight (48)  
482 hours and registered and first used in another state.

483 (j) Sales of tangible personal property or services to  
484 the Salvation Army and the Muscular Dystrophy Association, Inc.

485 (k) From July 1, 1985, through December 31, 1992,  
486 retail sales of "alcohol blended fuel" as such term is defined in  
487 Section 75-55-5. The gasoline-alcohol blend or the straight  
488 alcohol eligible for this exemption shall not contain alcohol  
489 distilled outside the State of Mississippi.

490 (l) Sales of tangible personal property or services to  
491 the Institute for Technology Development.

492 (m) The gross proceeds of retail sales of food and  
493 drink for human consumption made through vending machines serviced

494 by full line vendors from and not connected with other taxable  
495 businesses.

496 (n) The gross proceeds of sales of motor fuel.

497 (o) Retail sales of food for human consumption  
498 purchased with food stamps issued by the United States Department  
499 of Agriculture, or other federal agency, from and after October 1,  
500 1987, or from and after the expiration of any waiver granted  
501 pursuant to federal law, the effect of which waiver is to permit  
502 the collection by the state of tax on such retail sales of food  
503 for human consumption purchased with food stamps.

504 (p) Sales of cookies for human consumption by the Girl  
505 Scouts of America no part of the net earnings from which sales  
506 inures to the benefit of any private group or individual.

507 (q) Gifts or sales of tangible personal property or  
508 services to public or private nonprofit museums of art.

509 (r) Sales of tangible personal property or services to  
510 alumni associations of state-supported colleges or universities.

511 (s) Sales of tangible personal property or services to  
512 chapters of the National Association of Junior Auxiliaries, Inc.

513 (t) Sales of tangible personal property or services to  
514 domestic violence shelters which qualify for state funding under  
515 Sections 93-21-101 through 93-21-113.

516 (u) Sales of tangible personal property or services to  
517 the National Multiple Sclerosis Society, Mississippi Chapter.

518 (v) Retail sales of food for human consumption  
519 purchased with food instruments issued the Mississippi Band of  
520 Choctaw Indians under the Women, Infants and Children Program  
521 (WIC) funded by the United States Department of Agriculture.

522 (w) Sales of tangible personal property or services to  
523 a private company, as defined in Section 57-61-5, which is making  
524 such purchases with proceeds of bonds issued under Section 57-61-1  
525 et seq., the Mississippi Business Investment Act, except as



526 otherwise provided in Section 57-61-14, as amended by House Bill  
527 No. \_\_\_\_\_, 2004 Regular Session.

528           (x) The gross collections from the operation of  
529 self-service, coin-operated car washing equipment and sales of the  
530 service of washing motor vehicles with portable high pressure  
531 washing equipment on the premises of the customer.

532           **SECTION 6.** This act shall take effect and be in force from  
533 and after July 1, 2004.