

By: Representative Pierce

To: Education;
Appropriations

HOUSE BILL NO. 1630

1 AN ACT TO BRING FORWARD SECTIONS 37-61-33, 37-61-35, 27-65-75
2 AND 27-67-31, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE
3 EDUCATION ENHANCEMENT FUND, FOR THE PURPOSES OF AMENDMENT; AND FOR
4 RELATED PURPOSES.

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

6 **SECTION 1.** Section 37-61-33, Mississippi Code of 1972, is
7 brought forward as follows:

8 37-61-33. (1) There is created within the State Treasury a
9 special fund to be designated the "Education Enhancement Fund"
10 into which shall be deposited all the revenues collected pursuant
11 to Sections 27-65-75(7) and (8) and 27-67-31(a) and (b).

12 (2) Of the amount deposited into the Education Enhancement
13 Fund, Sixteen Million Dollars (\$16,000,000.00) shall be
14 appropriated each fiscal year to the State Department of Education
15 to be distributed to all school districts. Such money shall be
16 distributed to all school districts in the proportion that the
17 average daily attendance of each school district bears to the
18 average daily attendance of all school districts within the state
19 for the following purposes:

20 (a) Purchasing, erecting, repairing, equipping,
21 remodeling and enlarging school buildings and related facilities,
22 including gymnasiums, auditoriums, lunchrooms, vocational training
23 buildings, libraries, teachers' homes, school barns,
24 transportation vehicles (which shall include new and used
25 transportation vehicles) and garages for transportation vehicles,
26 and purchasing land therefor.

27 (b) Establishing and equipping school athletic fields
28 and necessary facilities connected therewith, and purchasing land
29 therefor.

30 (c) Providing necessary water, light, heating, air
31 conditioning and sewerage facilities for school buildings, and
32 purchasing land therefor.

33 (d) As a pledge to pay all or a portion of the debt
34 service on debt issued by the school district under Sections
35 37-59-1 through 37-59-45, 37-59-101 through 37-59-115, 37-7-351
36 through 37-7-359, 37-41-89 through 37-41-99, 37-7-301, 37-7-302
37 and 37-41-81, or debt issued by boards of supervisors for
38 agricultural high schools pursuant to Section 37-27-65, if such
39 pledge is accomplished pursuant to a written contract or
40 resolution approved and spread upon the minutes of an official
41 meeting of the district's school board or board of supervisors.
42 The annual grant to such district in any subsequent year during
43 the term of the resolution or contract shall not be reduced below
44 an amount equal to the district's grant amount for the year in
45 which the contract or resolution was adopted. The intent of this
46 provision is to allow school districts to irrevocably pledge a
47 certain, constant stream of revenue as security for long-term
48 obligations issued under the code sections enumerated in this
49 paragraph or as otherwise allowed by law. It is the intent of the
50 Legislature that the provisions of this paragraph shall be
51 cumulative and supplemental to any existing funding programs or
52 other authority conferred upon school districts or school boards.
53 Debt of a district secured by a pledge of sales tax revenue
54 pursuant to this paragraph shall not be subject to any debt
55 limitation contained in the foregoing enumerated code sections.

56 (3) The remainder of the money deposited into the Education
57 Enhancement Fund shall be appropriated as follows:

58 (a) To the State Department of Education as follows:

59 (i) Sixteen and sixty-one one-hundredths percent
60 (16.61%) to the cost of the adequate education program determined
61 under Section 37-151-7; of the funds generated by the percentage
62 set forth in this section for the support of the adequate
63 education program, one and one hundred seventy-eight
64 one-thousandths percent (1.178%) of the funds shall be
65 appropriated to be used by the State Department of Education for
66 the purchase of textbooks to be loaned under Sections 37-43-1
67 through 37-43-59 to approved nonpublic schools, as described in
68 Section 37-43-1. The funds to be distributed to each nonpublic
69 school shall be in the proportion that the average daily
70 attendance of each nonpublic school bears to the total average
71 daily attendance of all nonpublic schools;

72 (ii) Seven and ninety-seven one-hundredths percent
73 (7.97%) to assist the funding of transportation operations and
74 maintenance pursuant to Section 37-19-23; and

75 (iii) Nine and sixty-one one-hundredths percent
76 (9.61%) for classroom supplies, instructional materials and
77 equipment, including computers and computer software, to be
78 distributed to all school districts in the proportion that the
79 average daily attendance of each school district bears to the
80 average daily attendance of all school districts within the state.
81 Classroom supply funds shall not be expended for administrative
82 purposes. Local school districts shall allocate classroom supply
83 funds equally among all classroom teachers in the school district.
84 For purposes of this subparagraph, "teacher" means any employee of
85 the school board of a school district who is required by law to
86 obtain a teacher's license from the State Department of Education
87 and who is assigned to an instructional area of work as defined by
88 the department, but shall not include a federally funded teacher.
89 Two (2) or more teachers may agree to pool their classroom supply
90 funds for the benefit of a school within the district. It is the
91 intent of the Legislature that all classroom teachers shall be

92 involved in the development of a spending plan that addresses
93 individual classroom needs and supports the overall goals of the
94 school regarding supplies, instructional materials, equipment,
95 computers or computer software under the provisions of this
96 subparagraph, including the type, quantity and quality of such
97 supplies, materials and equipment. This plan shall be submitted
98 in writing to the school principal for approval. Classroom supply
99 funds allocated under this subparagraph shall supplement, not
100 replace, other local and state funds available for the same
101 purposes. School districts need not fully expend the funds
102 received under this subparagraph in the year in which they are
103 received, but such funds may be carried forward for expenditure in
104 any succeeding school year. The State Board of Education shall
105 develop and promulgate rules and regulations for the
106 administration of this subparagraph consistent with the above
107 criteria, with particular emphasis on allowing the individual
108 teachers to expend funds as they deem appropriate;

109 (b) Twenty-two and nine one-hundredths percent (22.09%)
110 to the Board of Trustees of State Institutions of Higher Learning
111 for the purpose of supporting institutions of higher learning; and

112 (c) Fourteen and forty-one one-hundredths percent
113 (14.41%) to the State Board for Community and Junior Colleges for
114 the purpose of providing support to community and junior colleges.

115 (4) The amount remaining in the Education Enhancement Fund
116 after funds are distributed as provided in subsections (2) and (3)
117 of this section shall be disbursed as follows:

118 (a) Twenty-five Million Dollars (\$25,000,000.00) shall
119 be deposited into the Working Cash-Stabilization Reserve Fund
120 created pursuant to Section 27-103-203(1), until the balance in
121 such fund reaches the maximum balance of seven and one-half
122 percent (7-1/2%) of the General Fund appropriations in the
123 appropriate fiscal year. After the maximum balance in the Working
124 Cash-Stabilization Reserve Fund is reached, such money shall

125 remain in the Education Enhancement Fund to be appropriated in the
126 manner provided for in paragraph (b) of this subsection.

127 (b) The remainder shall be appropriated for other
128 educational needs.

129 (5) None of the funds appropriated pursuant to subsection
130 (3)(a) of this section shall be used to reduce the state's General
131 Fund appropriation for the categories listed in an amount below
132 the following amounts:

133 (a) For subsection (3)(a)(ii) of this section,
134 Thirty-six Million Seven Hundred Thousand Dollars
135 (\$36,700,000.00);

136 (b) For the aggregate of minimum program allotments in
137 the 1997 fiscal year, formerly provided for in Chapter 19, Title
138 37, Mississippi Code of 1972, as amended, excluding those funds
139 for transportation as provided for in subsection (5)(a) in this
140 section.

141 **SECTION 2.** Section 37-61-35, Mississippi Code of 1972, is
142 brought forward as follows:

143 37-61-35. There is hereby created a special fund in the
144 State Treasury to be designated School Ad Valorem Tax Reduction
145 Fund into which proceeds collected pursuant to Sections
146 27-65-75(7) and 27-67-31(a) shall be deposited. Beginning with
147 the 1994 state fiscal year, the entire amount of monies in such
148 special fund shall be appropriated annually to the State
149 Department of Education which shall distribute the appropriated
150 amount to the various school districts in the proportion that the
151 average daily attendance of each school district bears to the
152 average daily attendance of all school districts within the state.
153 On or before June 1, 1993, and on or before June 1 of each
154 succeeding year, the State Department of Education shall notify
155 each school district of the amount to which such district is
156 entitled pursuant to this section.

157 **SECTION 3.** Section 27-65-75, Mississippi Code of 1972, is
158 brought forward as follows:

159 27-65-75. On or before the fifteenth day of each month, the
160 revenue collected under the provisions of this chapter during the
161 preceding month shall be paid and distributed as follows:

162 (1) On or before August 15, 1992, and each succeeding month
163 thereafter through July 15, 1993, eighteen percent (18%) of the
164 total sales tax revenue collected during the preceding month under
165 the provisions of this chapter, except that collected under the
166 provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on
167 business activities within a municipal corporation shall be
168 allocated for distribution to such municipality and paid to such
169 municipal corporation. On or before August 15, 1993, and each
170 succeeding month thereafter, eighteen and one-half percent
171 (18-1/2%) of the total sales tax revenue collected during the
172 preceding month under the provisions of this chapter, except that
173 collected under the provisions of Sections 27-65-15, 27-65-19(3)
174 and 27-65-21, on business activities within a municipal
175 corporation shall be allocated for distribution to such
176 municipality and paid to such municipal corporation.

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

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

186 In any county having a county seat which is not an
187 incorporated municipality, the distribution provided hereunder
188 shall be made as though the county seat was an incorporated
189 municipality; however, the distribution to such municipality shall

190 be paid to the county treasury wherein the municipality is located
191 and such funds shall be used for road, bridge and street
192 construction or maintenance therein.

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

218 (3) On or before September 15, 1987, and on or before the
219 fifteenth day of each succeeding month, until the date specified
220 in Section 65-39-35, the proceeds derived from contractors' taxes
221 levied under Section 27-65-21 on contracts for the construction or
222 reconstruction of highways designated under the highway program

223 created under Section 65-3-97 shall, except as otherwise provided
224 in Section 31-17-127, be deposited into the State Treasury to the
225 credit of the State Highway Fund to be used to fund such highway
226 program. The Mississippi Department of Transportation shall
227 provide to the State Tax Commission such information as is
228 necessary to determine the amount of proceeds to be distributed
229 under this subsection.

230 (4) On or before August 15, 1994, and on or before the
231 fifteenth day of each succeeding month through July 15, 1999, from
232 the proceeds of gasoline, diesel fuel or kerosene taxes as
233 provided in Section 27-5-101(a)(ii)1, Four Million Dollars
234 (\$4,000,000.00) shall be deposited in the State Treasury to the
235 credit of a special fund designated as the "State Aid Road Fund,"
236 created by Section 65-9-17. On or before August 15, 1999, and on
237 or before the fifteenth day of each succeeding month, from the
238 total amount of the proceeds of gasoline, diesel fuel or kerosene
239 taxes apportioned by Section 27-5-101(a)(ii)1, Four Million
240 Dollars (\$4,000,000.00) or an amount equal to twenty-three and
241 one-fourth percent (23.25%) of such funds, whichever is the
242 greater amount, shall be deposited in the State Treasury to the
243 credit of the "State Aid Road Fund," created by Section 65-9-17.
244 Such funds shall be pledged to pay the principal of and interest
245 on state aid road bonds heretofore issued under Sections 19-9-51
246 through 19-9-77, in lieu of and in substitution for the funds
247 heretofore allocated to counties under this section. Such funds
248 may not be pledged for the payment of any state aid road bonds
249 issued after April 1, 1981; however, this prohibition against the
250 pledging of any such funds for the payment of bonds shall not
251 apply to any bonds for which intent to issue such bonds has been
252 published, for the first time, as provided by law prior to March
253 29, 1981. From the amount of taxes paid into the special fund
254 pursuant to this subsection and subsection (9) of this section,
255 there shall be first deducted and paid the amount necessary to pay

256 the expenses of the Office of State Aid Road Construction, as
257 authorized by the Legislature for all other general and special
258 fund agencies. The remainder of the fund shall be allocated
259 monthly to the several counties in accordance with the following
260 formula:

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

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

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

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

274 The amount of funds allocated to any county under this
275 subsection for any fiscal year after fiscal year 1994 shall not be
276 less than the amount allocated to such county for fiscal year
277 1994. Monies allocated to a county from the State Aid Road Fund
278 for fiscal year 1995 or any fiscal year thereafter that exceed the
279 amount of funds allocated to that county from the State Aid Road
280 Fund for fiscal year 1994, first must be expended by the county
281 for replacement or rehabilitation of bridges on the state aid road
282 system that have a sufficiency rating of less than twenty-five
283 (25), according to National Bridge Inspection standards before
284 such monies may be approved for expenditure by the State Aid Road
285 Engineer on other projects that qualify for the use of state aid
286 road funds.

287 Any reference in the general laws of this state or the
288 Mississippi Code of 1972 to Section 27-5-105 shall mean and be

289 construed to refer and apply to subsection (4) of Section
290 27-65-75.

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

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

302 (7) On or before August 15, 1992, and each succeeding month
303 thereafter through July 15, 2000, two and two hundred sixty-six
304 one-thousandths percent (2.266%) of the total sales tax revenue
305 collected during the preceding month under the provisions of this
306 chapter, except that collected under the provisions of Section
307 27-65-17(2) shall be deposited by the commission into the School
308 Ad Valorem Tax Reduction Fund created pursuant to Section
309 37-61-35. On or before August 15, 2000, and each succeeding month
310 thereafter, two and two hundred sixty-six one-thousandths percent
311 (2.266%) of the total sales tax revenue collected during the
312 preceding month under the provisions of this chapter, except that
313 collected under the provisions of Section 27-65-17(2), shall be
314 deposited into the School Ad Valorem Tax Reduction Fund created
315 under Section 37-61-35 until such time that the total amount
316 deposited into the fund during a fiscal year equals Forty-two
317 Million Dollars (\$42,000,000.00). Thereafter, the amounts
318 diverted under this subsection (7) during the fiscal year in
319 excess of Forty-two Million Dollars (\$42,000,000.00) shall be
320 deposited into the Education Enhancement Fund created under
321 Section 37-61-33 for appropriation by the Legislature as other

322 education needs and shall not be subject to the percentage
323 appropriation requirements set forth in Section 37-61-33.

324 (8) On or before August 15, 1992, and each succeeding month
325 thereafter, nine and seventy-three one-thousandths percent
326 (9.073%) of the total sales tax revenue collected during the
327 preceding month under the provisions of this chapter, except that
328 collected under the provisions of Section 27-65-17(2) shall be
329 deposited into the Education Enhancement Fund created pursuant to
330 Section 37-61-33.

331 (9) On or before August 15, 1994, and each succeeding month
332 thereafter, from the revenue collected under this chapter during
333 the preceding month, Two Hundred Fifty Thousand Dollars
334 (\$250,000.00) shall be paid into the State Aid Road Fund.

335 (10) On or before August 15, 1994, and each succeeding month
336 thereafter through August 15, 1995, from the revenue collected
337 under this chapter during the preceding month, Two Million Dollars
338 (\$2,000,000.00) shall be deposited into the Motor Vehicle Ad
339 Valorem Tax Reduction Fund established in Section 27-51-105.

340 (11) Notwithstanding any other provision of this section to
341 the contrary, on or before February 15, 1995, and each succeeding
342 month thereafter, the sales tax revenue collected during the
343 preceding month under the provisions of Section 27-65-17(2) and
344 the corresponding levy in Section 27-65-23 on the rental or lease
345 of private carriers of passengers and light carriers of property
346 as defined in Section 27-51-101 shall be deposited, without
347 diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund
348 established in Section 27-51-105.

349 (12) Notwithstanding any other provision of this section to
350 the contrary, on or before August 15, 1995, and each succeeding
351 month thereafter, the sales tax revenue collected during the
352 preceding month under the provisions of Section 27-65-17(1) on
353 retail sales of private carriers of passengers and light carriers
354 of property, as defined in Section 27-51-101 and the corresponding

355 levy in Section 27-65-23 on the rental or lease of these vehicles,
356 shall be deposited, after diversion, into the Motor Vehicle Ad
357 Valorem Tax Reduction Fund established in Section 27-51-105.

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

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

373 (15) Notwithstanding any other provision of this section to
374 the contrary, on or before September 15, 2000, and each succeeding
375 month thereafter, the sales tax revenue collected during the
376 preceding month under the provisions of Section 27-65-19(1)(f) and
377 (g)(i)2, shall be deposited, without diversion, into the
378 Telecommunications Ad Valorem Tax Reduction Fund established in
379 Section 27-38-7.

380 (16) On or before August 15, 2000, and each succeeding month
381 thereafter, the sales tax revenue collected during the preceding
382 month under the provisions of this chapter on the gross proceeds
383 of sales of a project as defined in Section 57-30-1 shall be
384 deposited, after all diversions except the diversion provided for
385 in subsection (1) of this section, into the Sales Tax Incentive
386 Fund created in Section 57-30-3.

387 (17) Notwithstanding any other provision of this section to
388 the contrary, on or before April 15, 2002, and each succeeding
389 month thereafter, the sales tax revenue collected during the
390 preceding month under Section 27-65-23 on sales of parking
391 services of parking garages and lots at airports shall be
392 deposited, without diversion, into the special fund created
393 pursuant to Section 27-5-101(d).

394 (18) On or before August 15, 2004, and each succeeding month
395 thereafter through July 15, 2005, from the sales tax revenue
396 collected during the preceding month under the provisions of this
397 chapter, Two Million Five Hundred Thousand Dollars (\$2,500,000.00)
398 shall be deposited into the Special Funds Transfer Fund created in
399 House Bill No. 1036, 2003 Regular Session.

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

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

416 **SECTION 4.** Section 27-67-31, Mississippi Code of 1972, is
417 brought forward as follows:

418 27-67-31. All administrative provisions of the sales tax
419 law, and amendments thereto, including those which fix damages,

420 penalties and interest for failure to comply with the provisions
421 of said sales tax law, and all other requirements and duties
422 imposed upon taxpayer, shall apply to all persons liable for use
423 taxes under the provisions of this article. The commissioner
424 shall exercise all power and authority and perform all duties with
425 respect to taxpayers under this article as are provided in said
426 sales tax law, except where there is conflict, then the provisions
427 of this article shall control.

428 The commissioner may require transportation companies to
429 permit the examination of waybills, freight bills, or other
430 documents covering shipments of tangible personal property into
431 this state.

432 On or before the fifteenth day of each month, the amount
433 received from taxes, damages and interest under the provisions of
434 this article during the preceding month shall be paid and
435 distributed as follows:

436 (a) On or before July 15, 1994, through July 15, 2000,
437 and each succeeding month thereafter, two and two hundred
438 sixty-six one-thousandths percent (2.266%) of the total use tax
439 revenue collected during the preceding month under the provisions
440 of this article shall be deposited in the School Ad Valorem Tax
441 Reduction Fund created pursuant to Section 37-61-35. On or before
442 August 15, 2000, and each succeeding month thereafter, two and two
443 hundred sixty-six one-thousandths percent (2.266%) of the total
444 use tax revenue collected during the preceding month under the
445 provisions of this chapter shall be deposited into the School Ad
446 Valorem Tax Reduction Fund created under Section 37-61-35 until
447 such time that the total amount deposited into the fund during a
448 fiscal year equals Four Million Dollars (\$4,000,000.00).
449 Thereafter, the amounts diverted under this paragraph (a) during
450 the fiscal year in excess of Four Million Dollars (\$4,000,000.00)
451 shall be deposited into the Education Enhancement Fund created
452 under Section 37-61-33 for appropriation by the Legislature as

453 other education needs and shall not be subject to the percentage
454 appropriation requirements set forth in Section 37-61-33.

455 (b) On or before July 15, 1994, and each succeeding
456 month thereafter, nine and seventy-three one-thousandths percent
457 (9.073%) of the total use tax revenue collected during the
458 preceding month under the provisions of this article shall be
459 deposited into the Education Enhancement Fund created pursuant to
460 Section 37-61-33.

461 (c) On or before July 15, 1997, and on or before the
462 fifteenth day of each succeeding month thereafter, the revenue
463 collected under the provisions of this article imposed and levied
464 as a result of Section 27-65-17(2) and the corresponding levy in
465 Section 27-65-23 on the rental or lease of private carriers of
466 passengers and light carriers of property as defined in Section
467 27-51-101 shall be deposited into the Motor Vehicle Ad Valorem Tax
468 Reduction Fund created pursuant to Section 27-51-105.

469 (d) On or before July 15, 1997, and on or before the
470 fifteenth day of each succeeding month thereafter and after the
471 deposits required by paragraphs (a) and (b) of this section are
472 made, the remaining revenue collected under the provisions of this
473 article imposed and levied as a result of Section 27-65-17(1) and
474 the corresponding levy in Section 27-65-23 on the rental or lease
475 of private carriers of passengers and light carriers of property
476 as defined in Section 27-51-101 shall be deposited into the Motor
477 Vehicle Ad Valorem Tax Reduction Fund created pursuant to Section
478 27-51-105.

479 (e) The remainder of the amount received from taxes,
480 damages and interest under the provisions of this article shall be
481 paid into the General Fund of the State Treasury by the
482 commissioner.

483 **SECTION 5.** This act shall take effect and be in force from
484 and after July 1, 2004.