

By: Senator(s) Gollott, Hewes, Lee (47th),
Cuevas, Dawkins

To: Local and Private;
Finance

SENATE BILL NO. 3175

1 AN ACT TO PROVIDE FOR A TAX ON GROSS PROCEEDS OF ROOM RENTALS
2 BY HOTELS AND MOTELS IN HARRISON COUNTY, MISSISSIPPI, TO BE
3 EXPENDED TO RETIRE BONDS AUTHORIZED TO BE ISSUED BY THE COUNTY
4 PURSUANT TO THIS ACT; TO AUTHORIZE THE ISSUANCE OF GENERAL
5 OBLIGATION BONDS OF THE COUNTY IN THE AMOUNT OF \$72,000,000.00 TO
6 DEFRAY THE COSTS OF EXPANDING AND RENOVATING THE MISSISSIPPI COAST
7 COLISEUM AND CONVENTION CENTER; AND FOR RELATED PURPOSES.

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

9 SECTION 1. For the purposes of this act:

10 (a) "Board of supervisors" means the Board of
11 Supervisors of Harrison County, Mississippi.

12 (b) "County" means Harrison County, Mississippi.

13 (c) "Hotel" or "motel" means and includes any
14 establishment engaged in the business of furnishing or providing
15 more than ten (10) rooms intended or designed for dwelling,
16 lodging or sleeping purposes that at any one time will accommodate
17 transient guests on a daily or weekly basis and that are known to
18 the trade as such.

19 SECTION 2. (1) Upon the issuance of bonds provided for in
20 Section 5 of this act, the board of supervisors shall levy, assess
21 and collect from every person, firm, corporation or other entity
22 operating hotels or motels in the county, a tax, in addition to
23 all other taxes or assessments now imposed, which shall be equal
24 to three percent (3%) of the gross proceeds from room rentals of
25 all hotels or motels in the county.

26 (2) Persons, firms, corporations or other entities liable
27 for the tax imposed by subsection (1) of this section shall add
28 the amount of such tax to the room rental and in addition thereto

29 shall collect, insofar as practicable, the amount of the tax due
30 from the person renting the room at the time of payment therefor.

31 **SECTION 3.** (1) On or before the fifteenth day of the month
32 prior to the imposition of the tax authorized in Section 2 of this
33 act, the board of supervisors shall give written notification to
34 the Chairman of the State Tax Commission of the date on which the
35 tax will become effective.

36 (2) The tax shall be collected by and paid to the State Tax
37 Commission in the same manner as state sales taxes are computed,
38 collected and paid, and full enforcement provisions and all other
39 provisions of Chapter 65, Title 27, Mississippi Code of 1972,
40 shall apply as necessary to the implementation of this act.

41 (3) Except as otherwise provided in Section 27-3-58, the
42 revenue from the special tax collected under the provisions of
43 this section during the preceding month shall be paid to the
44 county on or before the fifteenth day of each month.

45 (4) The proceeds of such taxes shall be placed into a
46 separate fund apart from the county general fund and any other
47 funds of the county, and shall be expended by the county as
48 provided in Section 9(1) of this act.

49 (5) The tax imposed by this act shall stand repealed on the
50 first day of the month immediately succeeding the date the payment
51 of the principal of, redemption premium, if any, and interest on
52 the bonds issued pursuant to this act have been paid in full. Any
53 revenue from the tax remaining after the payment of the principal
54 of, redemption premium, if any, and interest on the bonds issued
55 pursuant to this act have been paid in full shall be transferred
56 to the county general fund.

57 **SECTION 4.** The proceeds of the bonds issued pursuant to this
58 act shall be utilized for the purpose of defraying the cost of
59 constructing, repairing, equipping, remodeling, enlarging,
60 expanding or improving the Mississippi Coast Coliseum and
61 Convention Center.

62 **SECTION 5.** The board of supervisors is authorized and
63 empowered, in its discretion, to issue general obligation bonds of
64 the county in the aggregate principal amount not to exceed
65 Seventy-two Million Dollars (\$72,000,000.00) for the purposes
66 provided for in Section 4 of this act. As used in this act,
67 "bonds" shall be deemed to mean and include bonds, refunding
68 bonds, notes or certificates of participation. The full faith and
69 credit of the county shall be irrevocably pledged for the payment
70 of the principal of and interest on the bonds.

71 **SECTION 6.** Bonds authorized by this act, other than
72 refunding bonds, shall be issued pursuant to Sections 19-9-1
73 through 19-9-31 or as may be otherwise provided by law.

74 **SECTION 7.** Bonds issued pursuant to this act shall not be
75 deemed indebtedness within the meaning of Section 19-9-5. Bonds
76 issued pursuant to this act shall be submitted by validation under
77 Sections 31-13-1 through 31-13-11.

78 **SECTION 8.** Bonds issued under this act may be refunded at
79 any time and from time to time by the county pursuant to an
80 authorizing resolution of the board of supervisors, directing
81 issuance of refunding bonds in accordance with the "Mississippi
82 Bond Refinancing Act" (Sections 31-27-1 et seq., Mississippi Code
83 of 1972).

84 **SECTION 9.** (1) The avails of the tax provided for in this
85 act shall be used solely for the payment of the principal of,
86 redemption premium, if any, and interest on the bonds, and for the
87 payment of expenses of issuance thereof or reserve funds therefor.

88 (2) To the extent the proceeds of the tax provided for in
89 this act and any other amounts which may, from time to time, be
90 available for the payment of the principal of, redemption premium,
91 if any, and interest on the bonds, including any available
92 revenues of the project, are not sufficient for such purpose, the
93 board of supervisors shall levy a special ad valorem tax upon all
94 of the taxable property within the county which shall be

95 sufficient, together with other money available for such purpose,
96 to provide for the payment of the principal of, redemption
97 premium, if any, and interest on such bonds according to the terms
98 thereof.

99 **SECTION 10.** This act shall be liberally construed for the
100 purposes herein set out, the power hereby granted shall be deemed
101 to be full and complete authority for the issuance of bonds under
102 this act and shall be construed as additional, cumulative and
103 supplemental to any power granted to the county by any general or
104 local and private act of the Legislature.

105 **SECTION 11.** This act shall take effect and be in force from
106 and after its passage.