

By: Representative Eaton

To: Ways and Means

## HOUSE BILL NO. 1588

1 AN ACT TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO THE  
2 CREDIT OF THE DEPARTMENT OF MENTAL HEALTH FOR THE OPERATION AND  
3 MAINTENANCE OF MENTAL HEALTH HOLDING CENTERS AND SPECIALIZED  
4 TREATMENT FACILITIES FOR THE SEVERELY EMOTIONALLY DISTURBED  
5 ESTABLISHED BY THE DEPARTMENT; TO AMEND SECTION 27-7-901,  
6 MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF THE TAX UPON  
7 AMOUNTS PAID OR CREDITED BY GAMING ESTABLISHMENTS TO THEIR  
8 PATRONS; TO REQUIRE THE TAX INCREASE PROVIDED FOR IN THIS ACT TO  
9 BE DEPOSITED INTO THE SPECIAL FUND CREATED BY THIS ACT; AND FOR  
10 RELATED PURPOSES.

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

12 **SECTION 1.** There is created in the State Treasury a special  
13 fund to the credit of the Department of Mental Health, which shall  
14 be comprised of the monies required to be deposited into the fund  
15 under Section 27-7-901(1)(b) and any other funds that may be made  
16 available for the fund by the Legislature. Monies in the fund  
17 shall be expended by the Department of Mental Health, upon  
18 appropriation by the Legislature, for the operation and  
19 maintenance of mental health holding centers established by the  
20 department under Section 41-4-7(m) and specialized treatment  
21 facilities for the severely emotionally disturbed. Unexpended  
22 amounts remaining in the special fund at the end of a fiscal year  
23 shall not lapse into the State General Fund, and any interest  
24 earned or investment earnings on amounts in the special fund shall  
25 be deposited to the credit of the special fund.

26 **SECTION 2.** Section 27-7-901, Mississippi Code of 1972, is  
27 amended as follows:

28 27-7-901. (1) (a) There is hereby levied, assessed and  
29 shall be collected a tax of three percent (3%) upon amounts that  
30 are paid or credited by gaming establishments licensed under the  
31 provisions of the Mississippi Gaming Control Act to their patrons.

32           (b) In addition to the tax levied in paragraph (a) of  
33 this subsection, there is hereby levied, assessed and shall be  
34 collected an additional tax of one percent (1%) upon amounts that  
35 are paid or credited by gaming establishments licensed under the  
36 provisions of the Mississippi Gaming Control Act to their patrons.  
37 Revenue collected under the provisions of this paragraph (b) shall  
38 be deposited into the special fund created in Section 1 of House  
39 Bill No. \_\_\_\_\_, 2005 Regular Session.

40           (c) The tax shall be collected by licensed gaming  
41 establishments and remitted to the State Tax Commission in the  
42 manner provided for by regulations promulgated by the Chairman of  
43 the State Tax Commission.

44           (2) As used in this section, "amounts that are paid or  
45 credited" means amounts or credits that are subject to the  
46 withholding or reporting requirements of the Internal Revenue  
47 Code.

48           (3) No credit shall be allowed under the Income Tax Law of  
49 1952 for the tax collected by licensed gaming establishments  
50 pursuant to this section.

51           **SECTION 3.** This act shall take effect and be in force from  
52 and after July 1, 2005.