

By: Senator(s) Chaney, Michel, Clarke,
Flowers, Dearing, King, White

To: Finance

SENATE BILL NO. 3014

1 AN ACT TO AMEND SECTION 27-31-101, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE BOARDS OF SUPERVISORS AND MUNICIPAL AUTHORITIES TO
3 GRANT AD VALOREM TAX EXEMPTIONS FOR NEW ENTERPRISES UNDER CERTAIN
4 CIRCUMSTANCES WHEN THE INITIAL REQUEST FOR EXEMPTION IS NOT TIMELY
5 MADE; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 27-31-101, Mississippi Code of 1972, is
8 amended as follows:

9 27-31-101. (1) County boards of supervisors and municipal
10 authorities are hereby authorized and empowered, in their
11 discretion, to grant exemptions from ad valorem taxation, except
12 state ad valorem taxation; * * * however, such governing
13 authorities shall not exempt ad valorem taxes for school district
14 purposes on tangible property used in, or necessary to, the
15 operation of the manufacturers and other new enterprises * * *
16 enumerated by classes in this section, except to the extent
17 authorized in Sections 27-31-104 and 27-31-105(2), nor shall they
18 exempt from ad valorem taxes the products of the manufacturers or
19 other new enterprises or automobiles and trucks belonging to
20 the * * * manufacturers or other new enterprises operating on and
21 over the highways of the State of Mississippi. The time of such
22 exemption shall be for a period not to exceed a total of ten (10)
23 years which shall begin on the date of completion of the new
24 enterprise for which the exemption is granted; however, boards of
25 supervisors and municipal authorities, in lieu of granting the
26 exemption for one (1) period of ten (10) years, may grant the
27 exemption in a period of less than ten (10) years. When the
28 initial exemption period granted is less than ten (10) years, the

29 boards of supervisors and municipal authorities may grant a
30 subsequent consecutive period or periods to follow the initial
31 period of exemption, provided that the total of all periods of
32 exemption shall not exceed ten (10) years. The date of completion
33 of the new enterprise, from which the initial period of exemption
34 shall begin, shall be the date on which operations of the new
35 enterprise begin. The initial request for an exemption must be
36 made in writing by June 1 of the year immediately following the
37 year in which the date of completion of a new enterprise occurs.
38 If the initial request for the exemption is not timely made, the
39 board of supervisors or municipal authorities may grant a
40 subsequent request for the exemption and, in such case, the
41 exemption shall begin on the anniversary date of completion of the
42 enterprise in the year in which the request is made and may be for
43 a period of time extending not more than ten (10) years from the
44 date of completion of the new enterprise. Any subsequent request
45 for the exemption must be made in writing by June 1 of the year in
46 which it is granted.

47 * * *

48 (2) Any exemption from ad valorem taxes heretofore granted
49 to existing enterprises shall continue in full force and effect
50 but only as to tangible property heretofore included in the
51 exemption but not as to tangible property that may be later added
52 as an addition or improvement to the exempt tangible property.

53 * * *

54 (3) Any board of supervisors or municipal authority which
55 has granted an exemption for a period of less than ten (10) years
56 may grant subsequent periods of exemption to run consecutively
57 with the initial exemption period, or a subsequently granted
58 exemption period, but in no case shall the total of the exemption
59 periods granted for a new enterprise exceed ten (10) years. Any
60 consecutive period of exemption shall be granted by entry of an
61 order by the board or the authority granting the consecutive

62 exemption on its minutes, reflecting the granting of the
63 consecutive exemption period and the dates upon which such
64 consecutive exemption period begins and expires. The entry of
65 this order granting the consecutive period of exemption shall be
66 made before the expiration of the exemption period immediately
67 preceding the consecutive exemption period being granted.

68 (4) The new enterprises which may be exempt are enumerated
69 as and limited to the following, as determined by the State Tax
70 Commission:

71 (a) Warehouse and/or distribution centers;

72 (b) Manufacturing, processors and refineries;

73 (c) Research facilities;

74 (d) Corporate regional and national headquarters

75 meeting minimum criteria established by the Department of Economic
76 and Community Development;

77 (e) Movie industry studios meeting minimum criteria
78 established by the Mississippi Development Authority;

79 (f) Air transportation and maintenance facilities
80 meeting minimum criteria established by the Mississippi
81 Development Authority;

82 (g) Recreational facilities that impact tourism meeting
83 minimum criteria established by the Mississippi Development
84 Authority; and

85 (h) Telecommunications enterprises meeting minimum
86 criteria established by the Mississippi Development Authority.

87 The term "telecommunications enterprises" means entities engaged
88 in the creation, display, management, storage, processing,

89 transmission or distribution for compensation of images, text,
90 voice, video or data by wire or by wireless means, or entities

91 engaged in the construction, design, development, manufacture,

92 maintenance or distribution for compensation of devices, products,

93 software or structures used in the above activities. Companies

94 organized to do business as commercial broadcast radio stations,

95 television stations or news organizations primarily serving
96 in-state markets shall not be included within the definition of
97 the term "telecommunications enterprises."

98 **SECTION 2.** This act shall take effect and be in force from
99 and after its passage.