

By: Representative Whittington

To: Ways and Means

HOUSE BILL NO. 444

1 AN ACT TO PROVIDE AN INCOME TAX CREDIT FOR TAXPAYERS WHO  
2 CONTRIBUTE FUNDS TO PUBLIC SCHOOLS OR PUBLIC SCHOOL DISTRICTS TO  
3 ASSIST THE SCHOOLS OR SCHOOL DISTRICTS IN PROVIDING PHYSICAL  
4 FITNESS PROGRAMS OR OTHER HEALTH IMPROVEMENT PROGRAMS FOR  
5 STUDENTS; TO AMEND SECTION 37-7-301, MISSISSIPPI CODE OF 1972, IN  
6 CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** (1) For any taxpayer who makes a voluntary  
9 monetary contribution to a public school or public school  
10 district, or both, to assist such school or school district in  
11 providing physical fitness programs or other health improvement  
12 programs for students, a credit against the income taxes imposed  
13 under this chapter shall be allowed in the amount provided in  
14 subsection (2) of this section.

15 (2) (a) The income tax credit provided in subsection (1) of  
16 this section shall be equal to the lesser of fifty percent (50%)  
17 of the aggregate amount of contributions made by a taxpayer to a  
18 school or school district, or both, during the taxable year or the  
19 amount of income tax imposed upon the taxpayer for the taxable  
20 year reduced by the sum of all other credits allowable to such  
21 taxpayer under the state income tax laws, except credit for tax  
22 payments made by or on behalf of the taxpayer. In the case of  
23 married individuals filing separate returns, each person may claim  
24 an amount not to exceed one-half (1/2) of the tax credit which  
25 would have been allowed for a joint return. Any unused portion of  
26 the credit may be carried forward for the next five (5) succeeding  
27 tax years.

28 (b) Any amount of such a monetary contribution made by  
29 a taxpayer that is applied toward the credit provided in this

30 section may not be used as a deduction by the taxpayer for state  
31 income tax purposes.

32 **SECTION 2.** Section 37-7-301, Mississippi Code of 1972, is  
33 amended as follows:

34 37-7-301. The school boards of all school districts shall  
35 have the following powers, authority and duties in addition to all  
36 others imposed or granted by law, to wit:

37 (a) To organize and operate the schools of the district  
38 and to make such division between the high school grades and  
39 elementary grades as, in their judgment, will serve the best  
40 interests of the school;

41 (b) To introduce public school music, art, manual  
42 training and other special subjects into either the elementary or  
43 high school grades, as the board shall deem proper;

44 (c) To be the custodians of real and personal school  
45 property and to manage, control and care for same, both during the  
46 school term and during vacation;

47 (d) To have responsibility for the erection, repairing  
48 and equipping of school facilities and the making of necessary  
49 school improvements;

50 (e) To suspend or to expel a pupil or to change the  
51 placement of a pupil to the school district's alternative school  
52 or home-bound program for misconduct in the school or on school  
53 property, as defined in Section 37-11-29, on the road to and from  
54 school, or at any school-related activity or event, or for conduct  
55 occurring on property other than school property or other than at  
56 a school-related activity or event when such conduct by a pupil,  
57 in the determination of the school superintendent or principal,  
58 renders that pupil's presence in the classroom a disruption to the  
59 educational environment of the school or a detriment to the best  
60 interest and welfare of the pupils and teacher of such class as a  
61 whole, and to delegate such authority to the appropriate officials  
62 of the school district;

63           (f) To visit schools in the district, in their  
64 discretion, in a body for the purpose of determining what can be  
65 done for the improvement of the school in a general way;

66           (g) To support, within reasonable limits, the  
67 superintendent, principal and teachers where necessary for the  
68 proper discipline of the school;

69           (h) To exclude from the schools students with what  
70 appears to be infectious or contagious diseases; provided,  
71 however, such student may be allowed to return to school upon  
72 presenting a certificate from a public health officer, duly  
73 licensed physician or nurse practitioner that the student is free  
74 from such disease;

75           (i) To require those vaccinations specified by the  
76 State Health Officer as provided in Section 41-23-37, Mississippi  
77 Code of 1972;

78           (j) To see that all necessary utilities and services  
79 are provided in the schools at all times when same are needed;

80           (k) To authorize the use of the school buildings and  
81 grounds for the holding of public meetings and gatherings of the  
82 people under such regulations as may be prescribed by said board;

83           (l) To prescribe and enforce rules and regulations not  
84 inconsistent with law or with the regulations of the State Board  
85 of Education for their own government and for the government of  
86 the schools, and to transact their business at regular and special  
87 meetings called and held in the manner provided by law;

88           (m) To maintain and operate all of the schools under  
89 their control for such length of time during the year as may be  
90 required;

91           (n) To enforce in the schools the courses of study and  
92 the use of the textbooks prescribed by the proper authorities;

93           (o) To make orders directed to the superintendent of  
94 schools for the issuance of pay certificates for lawful purposes  
95 on any available funds of the district and to have full control of

96 the receipt, distribution, allotment and disbursement of all funds  
97 provided for the support and operation of the schools of such  
98 school district whether such funds be derived from state  
99 appropriations, local ad valorem tax collections, or otherwise.  
100 The local school board shall be authorized and empowered to  
101 promulgate rules and regulations that specify the types of claims  
102 and set limits of the dollar amount for payment of claims by the  
103 superintendent of schools to be ratified by the board at the next  
104 regularly scheduled meeting after payment has been made;

105 (p) To select all school district personnel in the  
106 manner provided by law, and to provide for such employee fringe  
107 benefit programs, including accident reimbursement plans, as may  
108 be deemed necessary and appropriate by the board;

109 (q) To provide athletic programs and other school  
110 activities and to regulate the establishment and operation of such  
111 programs and activities;

112 (r) To join, in their discretion, any association of  
113 school boards and other public school-related organizations, and  
114 to pay from local funds other than minimum foundation funds, any  
115 membership dues;

116 (s) To expend local school activity funds, or other  
117 available school district funds, other than minimum education  
118 program funds, for the purposes prescribed under this paragraph.  
119 "Activity funds" shall mean all funds received by school officials  
120 in all school districts paid or collected to participate in any  
121 school activity, such activity being part of the school program  
122 and partially financed with public funds or supplemented by public  
123 funds. The term "activity funds" shall not include any funds  
124 raised and/or expended by any organization unless commingled in a  
125 bank account with existing activity funds, regardless of whether  
126 the funds were raised by school employees or received by school  
127 employees during school hours or using school facilities, and  
128 regardless of whether a school employee exercises influence over

129 the expenditure or disposition of such funds. Organizations shall  
130 not be required to make any payment to any school for the use of  
131 any school facility if, in the discretion of the local school  
132 governing board, the organization's function shall be deemed to be  
133 beneficial to the official or extracurricular programs of the  
134 school. For the purposes of this provision, the term  
135 "organization" shall not include any organization subject to the  
136 control of the local school governing board. Activity funds may  
137 only be expended for any necessary expenses or travel costs,  
138 including advances, incurred by students and their chaperons in  
139 attending any in-state or out-of-state school-related programs,  
140 conventions or seminars and/or any commodities, equipment, travel  
141 expenses, purchased services or school supplies which the local  
142 school governing board, in its discretion, shall deem beneficial  
143 to the official or extracurricular programs of the district,  
144 including items which may subsequently become the personal  
145 property of individuals, including yearbooks, athletic apparel,  
146 book covers and trophies. Activity funds may be used to pay  
147 travel expenses of school district personnel. The local school  
148 governing board shall be authorized and empowered to promulgate  
149 rules and regulations specifically designating for what purposes  
150 school activity funds may be expended. The local school governing  
151 board shall provide (i) that such school activity funds shall be  
152 maintained and expended by the principal of the school generating  
153 the funds in individual bank accounts, or (ii) that such school  
154 activity funds shall be maintained and expended by the  
155 superintendent of schools in a central depository approved by the  
156 board. The local school governing board shall provide that such  
157 school activity funds be audited as part of the annual audit  
158 required in Section 37-9-18. The State Auditor shall prescribe a  
159 uniform system of accounting and financial reporting for all  
160 school activity fund transactions;

161 (t) To contract, on a shared savings, lease or  
162 lease-purchase basis, for energy efficiency services and/or  
163 equipment as provided for in Section 31-7-14, not to exceed ten  
164 (10) years;

165 (u) To maintain accounts and issue pay certificates on  
166 school food service bank accounts;

167 (v) (i) To lease a school building from an individual,  
168 partnership, nonprofit corporation or a private for-profit  
169 corporation for the use of such school district, and to expend  
170 funds therefor as may be available from any nonminimum program  
171 sources. The school board of the school district desiring to  
172 lease a school building shall declare by resolution that a need  
173 exists for a school building and that the school district cannot  
174 provide the necessary funds to pay the cost or its proportionate  
175 share of the cost of a school building required to meet the  
176 present needs. The resolution so adopted by the school board  
177 shall be published once each week for three (3) consecutive weeks  
178 in a newspaper having a general circulation in the school district  
179 involved, with the first publication thereof to be made not less  
180 than thirty (30) days prior to the date upon which the school  
181 board is to act on the question of leasing a school building. If  
182 no petition requesting an election is filed prior to such meeting  
183 as hereinafter provided, then the school board may, by resolution  
184 spread upon its minutes, proceed to lease a school building. If  
185 at any time prior to said meeting a petition signed by not less  
186 than twenty percent (20%) or fifteen hundred (1500), whichever is  
187 less, of the qualified electors of the school district involved  
188 shall be filed with the school board requesting that an election  
189 be called on the question, then the school board shall, not later  
190 than the next regular meeting, adopt a resolution calling an  
191 election to be held within such school district upon the question  
192 of authorizing the school board to lease a school building. Such  
193 election shall be called and held, and notice thereof shall be

194 given, in the same manner for elections upon the questions of the  
195 issuance of the bonds of school districts, and the results thereof  
196 shall be certified to the school board. If at least three-fifths  
197 (3/5) of the qualified electors of the school district who voted  
198 in such election shall vote in favor of the leasing of a school  
199 building, then the school board shall proceed to lease a school  
200 building. The term of the lease contract shall not exceed twenty  
201 (20) years, and the total cost of such lease shall be either the  
202 amount of the lowest and best bid accepted by the school board  
203 after advertisement for bids or an amount not to exceed the  
204 current fair market value of the lease as determined by the  
205 averaging of at least two (2) appraisals by certified general  
206 appraisers licensed by the State of Mississippi. The term "school  
207 building" as used in this paragraph (v)(i) shall be construed to  
208 mean any building or buildings used for classroom purposes in  
209 connection with the operation of schools and shall include the  
210 site therefor, necessary support facilities, and the equipment  
211 thereof and appurtenances thereto such as heating facilities,  
212 water supply, sewage disposal, landscaping, walks, drives and  
213 playgrounds. The term "lease" as used in this paragraph (v)(i)  
214 may include a lease/purchase contract;

215 (ii) If two (2) or more school districts propose  
216 to enter into a lease contract jointly, then joint meetings of the  
217 school boards having control may be held but no action taken shall  
218 be binding on any such school district unless the question of  
219 leasing a school building is approved in each participating school  
220 district under the procedure hereinabove set forth in paragraph  
221 (v)(i). All of the provisions of paragraph (v)(i) regarding the  
222 term and amount of the lease contract shall apply to the school  
223 boards of school districts acting jointly. Any lease contract  
224 executed by two (2) or more school districts as joint lessees  
225 shall set out the amount of the aggregate lease rental to be paid  
226 by each, which may be agreed upon, but there shall be no right of

227 occupancy by any lessee unless the aggregate rental is paid as  
228 stipulated in the lease contract. All rights of joint lessees  
229 under the lease contract shall be in proportion to the amount of  
230 lease rental paid by each;

231 (w) To employ all noninstructional and noncertificated  
232 employees and fix the duties and compensation of such personnel  
233 deemed necessary pursuant to the recommendation of the  
234 superintendent of schools;

235 (x) To employ and fix the duties and compensation of  
236 such legal counsel as deemed necessary;

237 (y) Subject to rules and regulations of the State Board  
238 of Education, to purchase, own and operate trucks, vans and other  
239 motor vehicles, which shall bear the proper identification  
240 required by law;

241 (z) To expend funds for the payment of substitute  
242 teachers and to adopt reasonable regulations for the employment  
243 and compensation of such substitute teachers;

244 (aa) To acquire in its own name by purchase all real  
245 property which shall be necessary and desirable in connection with  
246 the construction, renovation or improvement of any public school  
247 building or structure. Whenever the purchase price for such real  
248 property is greater than Fifty Thousand Dollars (\$50,000.00), the  
249 school board shall not purchase the property for an amount  
250 exceeding the fair market value of such property as determined by  
251 the average of at least two (2) independent appraisals by  
252 certified general appraisers licensed by the State of Mississippi.  
253 If the board shall be unable to agree with the owner of any such  
254 real property in connection with any such project, the board shall  
255 have the power and authority to acquire any such real property by  
256 condemnation proceedings pursuant to Section 11-27-1 et seq.,  
257 Mississippi Code of 1972, and for such purpose, the right of  
258 eminent domain is hereby conferred upon and vested in said board.  
259 Provided further, that the local school board is authorized to

260 grant an easement for ingress and egress over sixteenth section  
261 land or lieu land in exchange for a similar easement upon  
262 adjoining land where the exchange of easements affords substantial  
263 benefit to the sixteenth section land; provided, however, the  
264 exchange must be based upon values as determined by a competent  
265 appraiser, with any differential in value to be adjusted by cash  
266 payment. Any easement rights granted over sixteenth section land  
267 under such authority shall terminate when the easement ceases to  
268 be used for its stated purpose. No sixteenth section or lieu land  
269 which is subject to an existing lease shall be burdened by any  
270 such easement except by consent of the lessee or unless the school  
271 district shall acquire the unexpired leasehold interest affected  
272 by the easement;

273 (bb) To charge reasonable fees related to the  
274 educational programs of the district, in the manner prescribed in  
275 Section 37-7-335;

276 (cc) Subject to rules and regulations of the State  
277 Board of Education, to purchase relocatable classrooms for the use  
278 of such school district, in the manner prescribed in Section  
279 37-1-13;

280 (dd) Enter into contracts or agreements with other  
281 school districts, political subdivisions or governmental entities  
282 to carry out one or more of the powers or duties of the school  
283 board, or to allow more efficient utilization of limited resources  
284 for providing services to the public;

285 (ee) To provide for in-service training for employees  
286 of the district. Until June 30, 1994, the school boards may  
287 designate two (2) days of the minimum school term, as defined in  
288 Section 37-19-1, for employee in-service training for  
289 implementation of the new statewide testing system as developed by  
290 the State Board of Education. Such designation shall be subject  
291 to approval by the State Board of Education pursuant to uniform  
292 rules and regulations;

293           (ff) As part of their duties to prescribe the use of  
294 textbooks, to provide that parents and legal guardians shall be  
295 responsible for the textbooks and for the compensation to the  
296 school district for any books which are not returned to the proper  
297 schools upon the withdrawal of their dependent child. If a  
298 textbook is lost or not returned by any student who drops out of  
299 the public school district, the parent or legal guardian shall  
300 also compensate the school district for the fair market value of  
301 the textbooks;

302           (gg) To conduct fund-raising activities on behalf of  
303 the school district that the local school board, in its  
304 discretion, deems appropriate or beneficial to the official or  
305 extracurricular programs of the district; provided that:

306                 (i) Any proceeds of the fund-raising activities  
307 shall be treated as "activity funds" and shall be accounted for as  
308 are other activity funds under this section; and

309                 (ii) Fund-raising activities conducted or  
310 authorized by the board for the sale of school pictures, the  
311 rental of caps and gowns or the sale of graduation invitations for  
312 which the school board receives a commission, rebate or fee shall  
313 contain a disclosure statement advising that a portion of the  
314 proceeds of the sales or rentals shall be contributed to the  
315 student activity fund;

316           (hh) To allow individual lessons for music, art and  
317 other curriculum-related activities for academic credit or  
318 nonacademic credit during school hours and using school equipment  
319 and facilities, subject to uniform rules and regulations adopted  
320 by the school board;

321                 (ii) To charge reasonable fees for participating in an  
322 extracurricular activity for academic or nonacademic credit for  
323 necessary and required equipment such as safety equipment, band  
324 instruments and uniforms;

325           (jj) To conduct or participate in any fund-raising  
326 activities on behalf of or in connection with a tax-exempt  
327 charitable organization;

328           (kk) To exercise such powers as may be reasonably  
329 necessary to carry out the provisions of this section;

330           (ll) To expend funds for the services of nonprofit arts  
331 organizations or other such nonprofit organizations who provide  
332 performances or other services for the students of the school  
333 district;

334           (mm) To expend federal No Child Left Behind Act funds,  
335 or any other available funds that are expressly designated and  
336 authorized for that use, to pay training, educational expenses,  
337 salary incentives and salary supplements to employees of local  
338 school districts; except that incentives shall not be considered  
339 part of the local supplement as defined in Section 37-151-5(o),  
340 nor shall incentives be considered part of the local supplement  
341 paid to an individual teacher for the purposes of Section  
342 37-19-7(1). Mississippi Adequate Education Program funds or any  
343 other state funds may not be used for salary incentives or salary  
344 supplements as provided in this paragraph (mm);

345           (nn) To use any available funds, not appropriated or  
346 designated for any other purpose, for reimbursement to the  
347 state-licensed employees from both in-state and out-of-state, who  
348 enter into a contract for employment in a school district, for the  
349 expense of moving when the employment necessitates the relocation  
350 of the licensed employee to a different geographical area than  
351 that in which the licensed employee resides before entering into  
352 the contract. The reimbursement shall not exceed One Thousand  
353 Dollars (\$1,000.00) for the documented actual expenses incurred in  
354 the course of relocating, including the expense of any  
355 professional moving company or persons employed to assist with the  
356 move, rented moving vehicles or equipment, mileage in the amount  
357 authorized for county and municipal employees under Section

358 25-3-41 if the licensed employee used his personal vehicle or  
359 vehicles for the move, meals and such other expenses associated  
360 with the relocation. No licensed employee may be reimbursed for  
361 moving expenses under this section on more than one (1) occasion  
362 by the same school district. Nothing in this section shall be  
363 construed to require the actual residence to which the licensed  
364 employee relocates to be within the boundaries of the school  
365 district that has executed a contract for employment in order for  
366 the licensed employee to be eligible for reimbursement for the  
367 moving expenses. However, the licensed employee must relocate  
368 within the boundaries of the State of Mississippi. Any individual  
369 receiving relocation assistance through the Critical Teacher  
370 Shortage Act as provided in Section 37-159-5 shall not be eligible  
371 to receive additional relocation funds as authorized in this  
372 paragraph;

373 (oo) To use any available funds, not appropriated or  
374 designated for any other purpose, to reimburse persons who  
375 interview for employment as a licensed employee with the district  
376 for the mileage and other actual expenses incurred in the course  
377 of travel to and from the interview at the rate authorized for  
378 county and municipal employees under Section 25-3-41;

379 (pp) Consistent with the report of the Task Force to  
380 Conduct a Best Financial Management Practices Review, to improve  
381 school district management and use of resources and identify cost  
382 savings as established in Section 8 of Chapter 610, Laws of 2002,  
383 local school boards are encouraged to conduct independent reviews  
384 of the management and efficiency of schools and school districts.  
385 Such management and efficiency reviews shall provide state and  
386 local officials and the public with the following:

387 (i) An assessment of a school district's  
388 governance and organizational structure;

389 (ii) An assessment of the school district's  
390 financial and personnel management;

391 (iii) An assessment of revenue levels and sources;

392 (iv) An assessment of facilities utilization,  
393 planning and maintenance;

394 (v) An assessment of food services, transportation  
395 and safety/security systems;

396 (vi) An assessment of instructional and  
397 administrative technology;

398 (vii) A review of the instructional management and  
399 the efficiency and effectiveness of existing instructional  
400 programs; and

401 (viii) Recommended methods for increasing  
402 efficiency and effectiveness in providing educational services to  
403 the public;

404 (qq) To enter into agreements with other local school  
405 boards for the establishment of an educational service agency  
406 (ESA) to provide for the cooperative needs of the region in which  
407 the school district is located, as provided in Section 37-7-345.  
408 This paragraph shall repeal on July 1, 2007;

409 (rr) To implement a financial literacy program for  
410 students in Grades 10 and 11. The board may review the national  
411 programs and obtain free literature from various nationally  
412 recognized programs. After review of the different programs, the  
413 board may certify a program that is most appropriate for the  
414 school districts' needs. If a district implements a financial  
415 literacy program, then any student in Grade 10 or 11 may  
416 participate in the program. The financial literacy program shall  
417 include, but is not limited to, instruction in the same areas of  
418 personal business and finance as required under Section  
419 37-1-3(2)(b). The school board may coordinate with volunteer  
420 teachers from local community organizations, including, but not  
421 limited to, the following: United States Department of  
422 Agriculture Rural Development, United States Department of Housing  
423 and Urban Development, Junior Achievement, bankers and other

424 nonprofit organizations. Nothing in this paragraph shall be  
425 construed as to require school boards to implement a financial  
426 literacy program;

427           (ss) To collaborate with the State Board of Education,  
428 Community Action Agencies or the Department of Human Services to  
429 develop and implement a voluntary program to provide services for  
430 a full-day prekindergarten program that addresses the cognitive,  
431 social, and emotional needs of four-year-old and three-year-old  
432 children. The school board may utilize nonstate source special  
433 funds, grants, donations or gifts to fund the voluntary program;

434           (tt) With respect to any lawful, written obligation of  
435 a school district, including, but not limited to, leases  
436 (excluding leases of sixteenth section public school trust land),  
437 bonds, notes, or other agreement, to agree in writing with the  
438 obligee that the State Tax Commission or any state agency,  
439 department or commission created under state law may:

440           (i) Withhold all or any part (as agreed by the  
441 school board) of any monies which such local school board is  
442 entitled to receive from time to time under any law and which is  
443 in the possession of the State Tax Commission, or any state  
444 agency, department or commission created under state law; and

445           (ii) Pay the same over to any financial  
446 institution, trustee or other obligee, as directed in writing by  
447 the school board, to satisfy all or part of such obligation of the  
448 school district.

449           The school board may make such written agreement to withhold  
450 and transfer funds irrevocable for the term of the written  
451 obligation and may include in the written agreement any other  
452 terms and provisions acceptable to the school board. If the  
453 school board files a copy of such written agreement with the State  
454 Tax Commission, or any state agency, department or commission  
455 created under state law then the State Tax Commission or any state  
456 agency, department or commission created under state law shall

457 immediately make the withholdings provided in such agreement from  
458 the amounts due the local school board and shall continue to pay  
459 the same over to such financial institution, trustee or obligee  
460 for the term of the agreement.

461 This paragraph (tt) shall not grant any extra authority to a  
462 school board to issue debt in any amount exceeding statutory  
463 limitations on assessed value of taxable property within such  
464 school district or the statutory limitations on debt maturities,  
465 and shall not grant any extra authority to impose, levy or collect  
466 a tax which is not otherwise expressly provided for, and shall not  
467 be construed to apply to sixteenth section public school trust  
468 land;

469 (uu) With respect to any matter or transaction that is  
470 competitively bid by a school district, to accept from any bidder  
471 as a good faith deposit or bid bond or bid surety, the same type  
472 of good faith deposit or bid bond or bid surety that may be  
473 accepted by the state or any other political subdivision on  
474 similar competitively bid matters or transactions. This paragraph  
475 (uu) shall not be construed to apply to sixteenth section public  
476 school trust land. The school board may authorize the investment  
477 of any school district funds in the same kind and manner of  
478 investments, including pooled investments, as any other political  
479 subdivision, including community hospitals; and

480 (vv) To utilize the alternate method for the conveyance  
481 or exchange of unused school buildings and/or land, reserving a  
482 partial or other undivided interest in the property, as  
483 specifically authorized and provided in Section 37-7-485,  
484 Mississippi Code of 1972.

485 (ww) To accept any monetary contribution or other form  
486 of financial assistance.

487 **SECTION 3.** Section 1 of this act shall be codified as a  
488 separate section in Chapter 7, Title 27, Mississippi Code of 1972.

489           **SECTION 4.** Nothing in this act shall affect or defeat any  
490 claim, assessment, appeal, suit, right or cause of action for  
491 taxes due or accrued under the income tax laws before the date on  
492 which this act becomes effective, whether such claims,  
493 assessments, appeals, suits or actions have been begun before the  
494 date on which this act becomes effective or are begun thereafter;  
495 and the provisions of the income tax laws are expressly continued  
496 in full force, effect and operation for the purpose of the  
497 assessment, collection and enrollment of liens for any taxes due  
498 or accrued and the execution of any warrant under such laws before  
499 the date on which this act becomes effective, and for the  
500 imposition of any penalties, forfeitures or claims for failure to  
501 comply with such laws.

502           **SECTION 5.** This act shall take effect and be in force from  
503 and after January 1, 2006.