

By: Representative Gunn

To: Municipalities; Ways and Means

HOUSE BILL NO. 952

1 AN ACT TO AMEND SECTION 27-35-3, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT WHEN A MUNICIPALITY EXTENDS ITS CORPORATE LIMITS
3 AFTER JANUARY 1, 2008, OR AFTER JANUARY 1 OF ANY YEAR THEREAFTER,
4 THE MUNICIPALITY MAY ASSESS THE ANNEXED PROPERTY AND COLLECT AD
5 VALOREM TAXES FOR THE CURRENT YEAR BASED ON THE RATIO THAT THE
6 NUMBER OF MONTHS REMAINING IN THE CALENDAR YEAR AFTER THE
7 EXTENSION OF CORPORATE LIMITS BEARS TO THE TOTAL NUMBER OF MONTHS
8 IN THE CALENDAR YEAR; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 27-35-3, Mississippi Code of 1972, is
11 amended as follows:

12 27-35-3. All taxable real property situated in the state
13 acquired or held by any person before January 1 of each year, and
14 all other taxable property so situated or brought into this state
15 at any time prior to March 1 of each year, shall be assessed and
16 taxes thereon paid for the ensuing year with the exception of
17 heavy duty equipment as defined in Section 27-35-1(2). Heavy duty
18 equipment shall be assessed and taxes thereon paid at any time
19 such equipment is acquired or brought into this state for use as
20 construction equipment, and such assessment shall be prorated with
21 respect to the number of months remaining in the year. Such other
22 property shall not be assessed by more than one (1) county, and
23 such county in which said property was located at the earliest
24 taxable date in any year shall have priority in the assessment of
25 such taxes.

26 Provided, however, that when a municipality is created or the
27 corporate limits thereof extended after January 1 of any year it
28 shall have, prior to July 1 of said year, the full right and power
29 to assess said property and collect taxes for the current year to
30 the same extent as if it had been created or limits extended prior

31 to January 1 of that year. However, when a municipality extends
32 its corporate limits after January 1, 2008, or after January 1 of
33 any year thereafter, the municipality may assess the property and
34 collect ad valorem taxes for the current year based on the ratio
35 that the number of full months remaining in the calendar year
36 after the extension of corporate limits bears to the total number
37 of months in the calendar year.

38 Nothing in this section shall be construed to limit the power
39 of the state to define and declare the situs of particular species
40 of property having no fixed situs at some place in this state.

41 **SECTION 2.** This act shall take effect and be in force from
42 and after July 1, 2007.