

By: Representative Davis

To: Ways and Means

HOUSE BILL NO. 1352

1 AN ACT TO AMEND SECTION 27-33-75, MISSISSIPPI CODE OF 1972,
 2 TO INCREASE THE AMOUNT OF HOMESTEAD EXEMPTION FOR PERSONS WHO ARE
 3 SIXTY-FIVE YEARS OF AGE OR OLDER OR WHO ARE TOTALLY DISABLED; TO
 4 PROVIDE THAT BEGINNING JANUARY 1, 2011, AND EVERY FOURTH YEAR
 5 THEREAFTER, THE AMOUNT OF SUCH HOMESTEAD EXEMPTION SHALL BE
 6 INCREASED BY A PERCENTAGE AMOUNT EQUAL TO THE CUMULATIVE UNITED
 7 STATES INFLATION RATE FOR THE PREVIOUS FOUR CALENDAR YEARS AS
 8 CERTIFIED BY THE CHAIRMAN OF THE STATE TAX COMMISSION; TO AMEND
 9 SECTION 27-33-77, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT
 10 OF REIMBURSEMENT OF HOMESTEAD EXEMPTION REVENUE LOSSES; TO AMEND
 11 SECTION 27-33-79, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT
 12 REIMBURSEMENT OF HOMESTEAD EXEMPTION REVENUE LOSSES TO A TAXING
 13 UNIT MAY NOT BE MORE THAN ONE HUNDRED FIFTEEN PERCENT OF THE
 14 REIMBURSEMENT MADE TO THE TAXING UNIT FOR THE PRECEDING YEAR; AND
 15 FOR RELATED PURPOSES.

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

17 **SECTION 1.** Section 27-33-75, Mississippi Code of 1972, is
 18 amended as follows:

19 **[With regard to any county that has not completed an update**
 20 **in the valuation of Class I property, as designated by Section**
 21 **112, Mississippi Constitution of 1890, in the county according to**
 22 **procedures prescribed by the State Tax Commission and in effect on**
 23 **January 1, 2001, and has not implemented such valuations for the**
 24 **purposes of ad valorem taxation, this section shall read as**
 25 **follows:]**

26 27-33-75. (1) Qualified homeowners described in subsection
 27 (1) of Section 27-33-67 shall be allowed an exemption from ad
 28 valorem taxes according to the following table:

ASSESSED VALUE	HOMESTEAD
OF HOMESTEAD	EXEMPTION
\$ 1 - \$ 150	\$ 6.00
151 - 300	12.00
301 - 450	18.00

34	451 - 600	24.00
35	601 - 750	30.00
36	751 - 900	36.00
37	901 - 1,050	42.00
38	1,051 - 1,200	48.00
39	1,201 - 1,350	54.00
40	1,351 - 1,500	60.00
41	1,501 - 1,650	66.00
42	1,651 - 1,800	72.00
43	1,801 - 1,950	78.00
44	1,951 - 2,100	84.00
45	2,101 - 2,250	90.00
46	2,251 - 2,400	96.00
47	2,401 - 2,550	102.00
48	2,551 - 2,700	108.00
49	2,701 - 2,850	114.00
50	2,851 - 3,000	120.00
51	3,001 - 3,150	126.00
52	3,151 - 3,300	132.00
53	3,301 - 3,450	138.00
54	3,451 - 3,600	144.00
55	3,601 - 3,750	150.00
56	3,751 - 3,900	156.00
57	3,901 - 4,050	162.00
58	4,051 - 4,200	168.00
59	4,201 - 4,350	174.00
60	4,351 - 4,500	180.00
61	4,501 - 4,650	186.00
62	4,651 - 4,800	192.00
63	4,801 - 4,950	198.00
64	4,951 - 5,100	204.00
65	5,101 - 5,250	210.00
66	5,251 - 5,400	216.00

67	5,401 - 5,550	222.00
68	5,551 - 5,700	228.00
69	5,701 - 5,850	234.00
70	5,851 and above	240.00

71 Assessed values shall be rounded to the next whole dollar
72 (Fifty Cents (50¢) rounded to the next highest dollar) for the
73 purposes of the above table.

74 One-half (1/2) of the exemption allowed in the above table
75 shall be from taxes levied for school district purposes and
76 one-half (1/2) shall be from taxes levied for county general fund
77 purposes.

78 (2) Qualified homeowners described in subsection (2) of
79 Section 27-33-67 shall be allowed an exemption from all ad valorem
80 taxes on not in excess of Six Thousand Dollars (\$6,000.00) of the
81 assessed value of the homestead property.

82 (3) This section shall apply to exemptions claimed in the
83 1988 calendar year for which reimbursement is made in the 1989
84 calendar year and to exemptions claimed for which reimbursement is
85 made in subsequent years.

86 **[With regard to any county that has completed an update in**
87 **the valuation of Class I property, as designated by Section 112,**
88 **Mississippi Constitution of 1890, in the county according to**
89 **procedures prescribed by the State Tax Commission and in effect on**
90 **January 1, 2001, and for which the State Tax Commission has**
91 **certified that such new valuations have been implemented for the**
92 **purposes of ad valorem taxation, this section shall read as**
93 **follows:]**

94 27-33-75. (1) Qualified homeowners described in subsection
95 (1) of Section 27-33-67 shall be allowed an exemption from ad
96 valorem taxes according to the following table:

97	ASSESSED VALUE	HOMESTEAD
98	OF HOMESTEAD	EXEMPTION
99	\$ 1 - \$ 150	\$ 6.00

100	151 - 300	12.00
101	301 - 450	18.00
102	451 - 600	24.00
103	601 - 750	30.00
104	751 - 900	36.00
105	901 - 1,050	42.00
106	1,051 - 1,200	48.00
107	1,201 - 1,350	54.00
108	1,351 - 1,500	60.00
109	1,501 - 1,650	66.00
110	1,651 - 1,800	72.00
111	1,801 - 1,950	78.00
112	1,951 - 2,100	84.00
113	2,101 - 2,250	90.00
114	2,251 - 2,400	96.00
115	2,401 - 2,550	102.00
116	2,551 - 2,700	108.00
117	2,701 - 2,850	114.00
118	2,851 - 3,000	120.00
119	3,001 - 3,150	126.00
120	3,151 - 3,300	132.00
121	3,301 - 3,450	138.00
122	3,451 - 3,600	144.00
123	3,601 - 3,750	150.00
124	3,751 - 3,900	156.00
125	3,901 - 4,050	162.00
126	4,051 - 4,200	168.00
127	4,201 - 4,350	174.00
128	4,351 - 4,500	180.00
129	4,501 - 4,650	186.00
130	4,651 - 4,800	192.00
131	4,801 - 4,950	198.00
132	4,951 - 5,100	204.00

133	5,101 - 5,250	210.00
134	5,251 - 5,400	216.00
135	5,401 - 5,550	222.00
136	5,551 - 5,700	228.00
137	5,701 - 5,850	234.00
138	5,851 - 6,000	240.00
139	6,001 - 6,150	246.00
140	6,151 - 6,300	252.00
141	6,301 - 6,450	258.00
142	6,451 - 6,600	264.00
143	6,601 - 6,750	270.00
144	6,751 - 6,900	276.00
145	6,901 - 7,050	282.00
146	7,051 - 7,200	288.00
147	7,201 - 7,350	294.00
148	7,351 and above	300.00

149 Assessed values shall be rounded to the next whole dollar
150 (Fifty Cents (50¢) rounded to the next highest dollar) for the
151 purposes of the above table.

152 One-half (1/2) of the exemption allowed in the above table
153 shall be from taxes levied for school district purposes and
154 one-half (1/2) shall be from taxes levied for county general fund
155 purposes.

156 (2) (a) Qualified homeowners described in subsection (2) of
157 Section 27-33-67 shall be allowed an exemption from all ad valorem
158 taxes on not in excess of Seven Thousand Five Hundred Dollars
159 (\$7,500.00) of the assessed value of the homestead property.

160 (b) From and after January 1, 2007, qualified
161 homeowners described in subsection (2) of Section 27-33-67 shall
162 be allowed an exemption from all ad valorem taxes on not in excess
163 of Eight Thousand Dollars (\$8,000.00) of the assessed value of the
164 homestead property; and on January 1, 2011, and January 1 of every
165 fourth year thereafter, the exemption provided in this

166 paragraph (b) shall be increased by a percentage amount equal to
167 the cumulative United States inflation rate for the previous four
168 (4) calendar years as certified by the Chairman of the State Tax
169 Commission. The United States inflation rate for a calendar year
170 shall be the Consumer Price Index for the calendar year for all
171 urban consumers as calculated by the Bureau of Labor Statistics of
172 the United States Department of Labor.

173 (3) Except as otherwise provided in this subsection, this
174 section shall apply to exemptions claimed in the 2001 calendar
175 year for which reimbursement is made in the 2002 calendar year and
176 to exemptions claimed for which reimbursement is made in
177 subsequent years. The exemption provided for in subsection (2)(b)
178 of this section shall apply to exemptions claimed in the 2007
179 calendar year for which reimbursement is made in the 2008 calendar
180 year and to exemptions claimed for which reimbursement is made in
181 subsequent years.

182 **SECTION 2.** Section 27-33-77, Mississippi Code of 1972, is
183 amended as follows:

184 27-33-77. Beginning with the 1985 supplemental roll, and for
185 each succeeding year's roll thereafter, the amount of tax loss to
186 be reimbursed because of exemptions provided for in this article
187 shall be Fifty Dollars (\$50.00) each for county taxes exempted and
188 school taxes exempted for a total of One Hundred Dollars (\$100.00)
189 per applicant qualifying for homestead exemption under this
190 article. Beginning with the 2007 supplemental roll, and for each
191 succeeding year's roll thereafter, the amount of tax loss to be
192 reimbursed because of exemptions provided for in this article
193 shall be One Hundred Dollars (\$100.00) each for county taxes
194 exempted and school taxes exempted for a total of Two Hundred
195 Dollars (\$200.00) per applicant qualifying for homestead exemption
196 under this article.

197 The reimbursement received by the county shall be distributed
198 by the county treasurer to the general fund.

199 Provided further, that tax losses sustained by municipalities
200 because of exemptions granted to homeowners described in
201 subsection (2) of Section 27-33-67 shall be reimbursed up to the
202 amount of the actual exemption allowed, not to exceed Two Hundred
203 Fifty Dollars (\$250.00) per qualified applicant.

204 The reimbursement received by a county, municipality or
205 school district may be pledged as security for a loan if the
206 reimbursement to the county or school district is otherwise
207 authorized or required by law to be pledged as security for such a
208 loan.

209 **SECTION 3.** Section 27-33-79, Mississippi Code of 1972, is
210 amended as follows:

211 27-33-79. Notwithstanding the limitation imposed on
212 reimbursement of tax losses in Section 27-33-77, no taxing unit
213 shall be reimbursed more than one hundred fifteen percent (115%)
214 or less than the amount of the reimbursement made to the same
215 taxing unit, for the next preceding year, unless such
216 reimbursement is reduced as a result of a reduction in approved
217 homestead applicants; however, for the 1986 calendar year, no
218 taxing unit shall be reimbursed less than the amount of the
219 reimbursement made to the same taxing unit for the 1985 calendar
220 year.

221 **SECTION 4.** Nothing in this act shall affect or defeat any
222 claim, assessment, appeal, suit, right or cause of action for
223 taxes due or accrued under the ad valorem tax laws before the date
224 on which this act becomes effective, whether such claims,
225 assessments, appeals, suits or actions have been begun before the
226 date on which this act becomes effective or are begun thereafter;
227 and the provisions of the ad valorem tax laws are expressly
228 continued in full force, effect and operation for the purpose of
229 the assessment, collection and enrollment of liens for any taxes
230 due or accrued and the execution of any warrant under such laws
231 before the date on which this act becomes effective, and for the

232 imposition of any penalties, forfeitures or claims for failure to
233 comply with such laws.

234 **SECTION 5.** This act shall take effect and be in force from
235 and after January 1, 2007.