

By: Senator(s) Carmichael

To: Finance

## SENATE BILL NO. 2053

1 AN ACT TO EXEMPT FROM AD VALOREM TAXATION THAT PORTION OF THE  
2 ASSESSED VALUE OF THE PRINCIPAL PLACE OF RESIDENCE OF A VETERAN  
3 THAT IS OWNED BY THE VETERAN, THE VETERAN'S SPOUSE OR THE VETERAN  
4 AND HIS OR HER SPOUSE JOINTLY THAT DOES NOT EXCEED A CERTAIN  
5 AMOUNT IF THE VETERAN IS BLIND IN BOTH EYES, HAS LOST THE USE OF  
6 TWO OR MORE LIMBS, OR IS TOTALLY DISABLED AS A RESULT OF INJURY OR  
7 DISEASE INCURRED IN MILITARY SERVICE; TO AUTHORIZE THE EXEMPTION  
8 TO BE UTILIZED BY THE UNREMARIED SURVIVING SPOUSE OF A VETERAN  
9 UNDER CERTAIN CIRCUMSTANCES; TO PROVIDE THAT A RESIDENCE FOR WHICH  
10 THE EXEMPTION AUTHORIZED BY THIS ACT HAS BEEN GRANTED SHALL NOT BE  
11 ELIGIBLE FOR HOMESTEAD EXEMPTION OR ANY OTHER AD VALOREM TAX  
12 EXEMPTION; AND FOR RELATED PURPOSES.

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

14 **SECTION 1.** (1) (a) As used in this section, "veteran"  
15 means a person who has served in and has been discharged under  
16 honorable conditions from service in any branch of the United  
17 States Armed Forces or the National Guard.

18 (b) For purposes of this section, property is deemed to  
19 be the principal place of residence of a veteran disabled as  
20 described in subsection (2) of this section who is confined to a  
21 hospital or other care facility, if that property would be that  
22 veteran's principal place of residence were it not for his or her  
23 confinement to a hospital or other care facility, provided that  
24 the residence is not rented or leased to a third party. A family  
25 member that resides at the residence is not considered to be a  
26 third party.

27 (c) For purposes of this section:

28 (i) Being blind in both eyes means having a visual  
29 acuity of 5/200 or less, or concentric contraction of the visual  
30 field to five degrees (5°) or less;

31                   (ii) Losing the use of a limb means that the limb  
32 has been amputated or its use has been lost by reason of  
33 ankylosis, progressive muscular dystrophies or paralysis;

34                   (iii) Being totally disabled means that the United  
35 States Department of Veterans Affairs or the military service from  
36 which the veteran was discharged has rated the disability at one  
37 hundred percent (100%) by reason of being unable to secure or  
38 follow a substantially gainful occupation.

39           (2) Property that constitutes the principal place of  
40 residence of a veteran, that is owned by the veteran, the  
41 veteran's spouse or the veteran and the veteran's spouse jointly,  
42 is exempt from ad valorem taxation on that part of the assessed  
43 value of the residence that does not exceed Ten Thousand Dollars  
44 (\$10,000.00) if the veteran is blind in both eyes, has lost the  
45 use of two (2) or more limbs, or if the veteran is totally  
46 disabled as a result of injury or disease incurred in military  
47 service; however, in the case of an eligible veteran whose  
48 household income does not exceed the amount of Forty Thousand  
49 Dollars (\$40,000.00), as adjusted for the relevant year as  
50 provided in subsection (4) of this section, the place of residence  
51 of the veteran shall be exempt from ad valorem taxation on that  
52 amount of the assessed value of the residence that does not exceed  
53 Fifteen Thousand Dollars (\$15,000.00).

54           (3) Property that is owned by, and that constitutes the  
55 principal place of residence of, the unmarried surviving spouse of  
56 a deceased veteran is exempt from ad valorem taxation on that part  
57 of the true value of the residence that does not exceed Ten  
58 Thousand Dollars (\$10,000.00); however, in the case of an  
59 unmarried surviving spouse of a deceased veteran whose household  
60 income does not exceed the amount of Forty Thousand Dollars  
61 (\$40,000.00), as adjusted for the relevant year as provided in  
62 subsection (4) of this section, the place of residence of the  
63 unmarried surviving spouse of the deceased veteran shall be exempt

64 from ad valorem taxation on that amount of the assessed value of  
65 the residence that does not exceed Fifteen Thousand Dollars  
66 (\$15,000.00) if either of the following conditions are met:

67 (a) The deceased veteran during his or her lifetime  
68 qualified in all respects for the exemption or would have  
69 qualified for the exemption under the laws effective on January 1,  
70 2007, except that the veteran died prior to January 1, 2007.

71 (b) The veteran died from a disease that was service  
72 connected as determined by the United States Department of  
73 Veterans Affairs.

74 (4) Commencing on January 1, 2008, and each year thereafter,  
75 the household income limit shall be increased annually by an  
76 amount equal to the annual percentage increase in the Consumer  
77 Price Index, as established by the United States Department of  
78 Labor.

79 (5) A residence for which an exemption has been granted  
80 under this section shall not be eligible for homestead exemption  
81 or any other ad valorem tax exemption.

82 **SECTION 2.** This act shall take effect and be in force from  
83 and after January 1, 2007.