

By: Representatives Aldridge, Ward, Coleman  
(29th), Dedeaux

To: Agriculture; Ways and  
Means

HOUSE BILL NO. 1566  
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 27-65-103, MISSISSIPPI CODE OF 1972,  
2 TO EXEMPT FROM SALES TAXATION SALES OF FOOD PRODUCTS THAT ARE  
3 GROWN, MADE OR PROCESSED IN MISSISSIPPI AND SOLD FROM FARMERS'  
4 MARKETS THAT HAVE BEEN CERTIFIED BY THE MISSISSIPPI DEPARTMENT OF  
5 AGRICULTURE AND COMMERCE; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 27-65-103, Mississippi Code of 1972, is  
8 amended as follows:

9 27-65-103. The exemptions from the provisions of this  
10 chapter which are of an agricultural nature or which are more  
11 properly classified as agricultural exemptions than any other  
12 exemption classification of this chapter shall be confined to  
13 those persons or property exempted by this section or by  
14 provisions of the Constitution of the United States or the State  
15 of Mississippi. No agricultural exemption as now provided by any  
16 other section shall be valid as against the tax herein levied.  
17 Any subsequent agricultural exemption from the tax levied  
18 hereunder shall be provided by amendment to this section.

19 No exemption provided in this section shall apply to taxes  
20 levied by Section 27-65-15 or 27-65-21, Mississippi Code of 1972.

21 The tax levied by this chapter shall not apply to the  
22 following:

- 23 (a) The gross proceeds of sales of lint cotton, seed  
24 cotton, baled cotton, whether compressed or not, and cottonseed  
25 and soybeans in their original condition. Retail sales of seeds,  
26 livestock feed, poultry feed, fish feed and fertilizers. Sales of  
27 defoliants, insecticides, fungicides, herbicides and baby chicks  
28 used in growing agricultural products for market. Bagging and



29 ties for baling cotton, hay-baling wire and twine, boxes, bags and  
30 cans used in growing or preparing agricultural products for market  
31 when possession thereof will pass to the customer at the time of  
32 sale of the product contained therein. Sales of ice to commercial  
33 fishermen purchased for use in the preservation of seafood or to  
34 producers for use in the refrigeration of vegetables for market.

35 (b) The sales by producers of livestock, poultry, fish  
36 or other products of farm, grove or garden when such products are  
37 sold in the original state or condition of preparation for sale  
38 before such products are subjected to any other process within a  
39 class of business or sold by a producer through an established  
40 store, as defined in the Privilege Tax Law. \* \* \* However, \* \* \*  
41 this exemption shall not apply to ornamental plants which bear no  
42 fruit of commercial value. All sales by agricultural cooperative  
43 associations organized under Article 9 of Chapter 7 of Title 69,  
44 or under Chapters 17 or 19 of Title 79, Mississippi Code of 1972,  
45 of agricultural products produced by members for market before  
46 such products are subjected to any manufacturing process.

47 (c) The gross proceeds of retail sales of mules, horses  
48 and other livestock.

49 (d) Income from grading, excavating, ditching, dredging  
50 or landscaping activities performed for a farmer on a farm for  
51 agricultural or soil erosion purposes.

52 (e) The gross proceeds of sales of all antibiotics,  
53 hormones and hormone preparations, drugs, medicines and other  
54 medications including serums and vaccines, vitamins, minerals or  
55 other nutrients for use in the production and growing of fish,  
56 livestock and poultry by whomever sold. Such exemption shall be  
57 in addition to the exemption provided in this section for feed for  
58 fish, livestock and poultry.

59 (f) Sales of food products that are grown, made or  
60 processed in Mississippi and sold from farmers' markets that have



61 been certified by the Mississippi Department of Agriculture and  
62 Commerce.

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

