

By: Representative Martinson

To: Tourism; Ways and Means

HOUSE BILL NO. 1233

1 AN ACT TO AMEND SECTIONS 57-26-5, MISSISSIPPI CODE OF 1972,
 2 TO EXTEND THE AUTHORITY OF THE MISSISSIPPI DEVELOPMENT AUTHORITY
 3 TO ISSUE CERTIFICATES DESIGNATING ENTITIES AS APPROVED
 4 PARTICIPANTS IN THE TOURISM PROJECT SALES TAX INCENTIVE PROGRAM
 5 AND AUTHORIZING APPROVED PARTICIPANTS TO PARTICIPATE IN THE
 6 PROGRAM; TO AMEND SECTION 57-26-7, MISSISSIPPI CODE OF 1972, TO
 7 EXTEND THE AUTHORITY OF THE MISSISSIPPI DEVELOPMENT AUTHORITY TO
 8 APPROVE APPLICATIONS FOR PROJECTS THAT INCLUDES ANY RESORT
 9 DEVELOPMENT; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** Section 57-26-5, Mississippi Code of 1972, is
 12 amended as follows:

13 57-26-5. (1) The MDA shall develop, implement and
 14 administer the incentive program authorized in Sections 57-26-1
 15 through 57-26-5 and shall promulgate rules and regulations
 16 necessary for the development, implementation and administration
 17 of such program.

18 (2) A person, corporation or other entity desiring to
 19 participate in the incentive program authorized in Sections
 20 57-26-1 through 57-26-5 must submit an application and an
 21 application fee in the amount of Five Thousand Dollars (\$5,000.00)



22 to the MDA. Such application must contain (a) plans for the
23 proposed tourism project; (b) a detailed description of the
24 proposed tourism project; (c) the method of financing the proposed
25 tourism project and the terms of such financing; (d) an
26 independent study that identifies the number of out-of-state
27 visitors anticipated to visit the project and the ratio of
28 out-of-state visitors to in-state visitors; and (e) any other
29 information required by the MDA. The Executive Director of the
30 MDA shall review the application and determine if it qualifies as
31 a tourism project under this section and under the rules and
32 regulations promulgated pursuant to this section. If the
33 executive director determines the proposed tourism project
34 qualifies as a tourism project under this section and under the
35 rules and regulations promulgated pursuant to this section, he
36 shall issue a certificate to the person, corporation or other
37 entity designating such person, corporation or other entity as an
38 approved participant and authorizing the approved participant to
39 participate in the incentive program provided for in Sections
40 57-26-1 through 57-26-5. No certificate designating an entity as
41 an approved participant and authorizing the approved participant
42 to participate in the incentive program shall be issued from and
43 after July 1, * * * 2017.

44 (3) The MDA shall cause a cost benefit analysis of the
45 tourism project to be performed by a state institution of higher



46 learning, the university research center or some other entity
47 approved by the MDA.

48 **SECTION 2.** Section 57-26-7, Mississippi Code of 1972, is
49 amended as follows:

50 57-26-7. The MDA shall not approve any application submitted
51 after June 30, * * * 2017, pursuant to Section 57-26-5 for a
52 project that includes any resort development.

53 **SECTION 3.** This act shall take effect and be in force from
54 and after July 1, 2014.

