

By: Representatives Pigott, Dixon

To: Agriculture

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1131

1 AN ACT TO AMEND SECTION 69-45-11, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE AUTHORITY OF THE MISSISSIPPI DEPARTMENT OF
3 AGRICULTURE AND COMMERCE WITH RESPECT TO THE ADMINISTRATION OF THE
4 MISSISSIPPI AGRICULTURAL PROMOTIONS PROGRAM; TO AUTHORIZE THE
5 DEPARTMENT TO CHARGE AN ANNUAL MARKETING ASSESSMENT ON TO DEFRAY
6 PROGRAM COSTS AND EXPENSES; TO PERMIT THE DEPARTMENT TO ALLOW
7 CERTAIN ENTITIES TO PUBLISH OR ADVERTISE THE ENTITY'S NAME ON
8 DEPARTMENT PROPERTY AND IN ITS PUBLICATIONS; TO PROVIDE FOR THE
9 DEPOSIT OF ASSESSMENTS AND OTHER FUNDS TO BE DEPOSITED TO THE
10 CREDIT OF THE MISSISSIPPI AGRICULTURAL PROMOTION FUND FOR USE BY
11 THE COMMISSIONER OF AGRICULTURE AND COMMERCE; TO AMEND SECTION
12 69-45-13, MISSISSIPPI CODE OF 1972, TO REMOVE THE STIPULATION FOR
13 WHICH MONIES IN THE FUND MAY BE USED AND TO AUTHORIZE USE OF SUCH
14 FUND TO INCLUDE MARKETING AND PROMOTIONS EFFORTS; AND FOR RELATED
15 PURPOSES.

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

17 **SECTION 1.** Section 69-45-11, Mississippi Code of 1972, is
18 amended as follows:

19 69-45-11. Any person or business * * * that participates in
20 the Mississippi Agricultural Promotions Program shall register
21 annually with the department * * * on forms * * * prescribed by
22 the department. * * * The department is authorized to charge an
23 annual marketing assessment to defray costs and expenses
24 associated with the program. The department has no legal



25 liability by registering these persons or businesses, but only
26 serves to promote agriculture products, as defined in Section
27 69-45-5(e), in the state.

28 (2) (a) The department may accept, budget, receive and
29 expend funds from any source for the implementation, marketing and
30 promotion of the program, whether such funds are received by
31 appropriation of the Legislature for such purpose, gift, bequest,
32 donation or grant.

33 (b) The department may allow a federal, state or local
34 governmental entity or a public, private, commercial or charitable
35 entity to use, publish or advertise the entity's name on
36 department property and in its publications. Any funds received
37 from the advertising authorized in this paragraph shall be
38 deposited to the credit of the Mississippi Agricultural Promotions
39 Fund, established under Section 69-45-13, to be used and expended
40 by the department for improvements to its property, and marketing
41 and promotion programs.

42 (c) The department may accept, budget, receive and
43 expend funds collected under the authority of this section in
44 accordance with rules and regulations of the Department of Finance
45 and Administration in the manner consistent with the escalation of
46 federal funds.

47 **SECTION 2.** Section 69-45-13, Mississippi Code of 1972, is
48 amended as follows:



49 69-45-13. There is created a special fund to be designated
50 as the "Mississippi Agricultural Promotions Fund" within the State
51 Treasury to receive all monies related to the Mississippi
52 Agricultural Promotions Program. Monies deposited in the fund
53 shall be expended * * * by the Commissioner of Agriculture * * *
54 for the sole purpose of implementing the Mississippi Agricultural
55 Promotions Program and for any marketing and promotions of the
56 program. Unexpended amounts remaining in the fund at the end of
57 the fiscal year shall not lapse into the State General Fund, and
58 any interest earned on amounts in the fund shall be deposited to
59 the credit of the fund.

60 **SECTION 3.** This act shall take effect and be in force from
61 and after its passage.

