

By: Representatives Lamar, Reynolds

To: Ways and Means

HOUSE BILL NO. 1692

1 AN ACT TO AMEND SECTION 27-65-101, MISSISSIPPI CODE OF 1972,  
 2 TO PROVIDE THAT SALES OF PERSONAL PROPERTY AND SERVICES TO A  
 3 LIMITED LIABILITY COMPANY OR OTHER ENTITY THAT IS WHOLLY OWNED BY  
 4 A RAILROAD AUTHORITY CREATED UNDER THE RAILROAD AUTHORITIES LAW  
 5 AND USED BY THE LIMITED LIABILITY COMPANY OR OTHER ENTITY SOLELY  
 6 IN THE OPERATION OF OR AS PART OF RAILROAD PROPERTIES AND  
 7 FACILITIES IN THIS STATE SHALL BE EXEMPT TO THE SAME EXTENT AS  
 8 SUCH SALES ARE EXEMPT WHEN MADE TO SUCH A RAILROAD AUTHORITY; AND  
 9 FOR RELATED PURPOSES.

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

11 **SECTION 1.** Section 27-65-101, Mississippi Code of 1972, is  
 12 amended as follows:

13 27-65-101. (1) The exemptions from the provisions of this  
 14 chapter which are of an industrial nature or which are more  
 15 properly classified as industrial exemptions than any other  
 16 exemption classification of this chapter shall be confined to  
 17 those persons or property exempted by this section or by the  
 18 provisions of the Constitution of the United States or the State  
 19 of Mississippi. No industrial exemption as now provided by any  
 20 other section except Section 57-3-33 shall be valid as against the  
 21 tax herein levied. Any subsequent industrial exemption from the



22 tax levied hereunder shall be provided by amendment to this  
23 section. No exemption provided in this section shall apply to  
24 taxes levied by Section 27-65-15 or 27-65-21.

25 The tax levied by this chapter shall not apply to the  
26 following:

27 (a) Sales of boxes, crates, cartons, cans, bottles and  
28 other packaging materials to manufacturers and wholesalers for use  
29 as containers or shipping materials to accompany goods sold by  
30 said manufacturers or wholesalers where possession thereof will  
31 pass to the customer at the time of sale of the goods contained  
32 therein and sales to anyone of containers or shipping materials  
33 for use in ships engaged in international commerce.

34 (b) Sales of raw materials, catalysts, processing  
35 chemicals, welding gases or other industrial processing gases  
36 (except natural gas) to a manufacturer for use directly in  
37 manufacturing or processing a product for sale or rental or  
38 repairing or reconditioning vessels or barges of fifty (50) tons  
39 load displacement and over. For the purposes of this exemption,  
40 electricity used directly in the electrolysis process in the  
41 production of sodium chlorate shall be considered a raw material.  
42 This exemption shall not apply to any property used as fuel except  
43 to the extent that such fuel comprises by-products which have no  
44 market value.

45 (c) The gross proceeds of sales of dry docks, offshore  
46 drilling equipment for use in oil or natural gas exploration or



47 production, vessels or barges of fifty (50) tons load displacement  
48 and over, when the vessels or barges are sold by the manufacturer  
49 or builder thereof. In addition to other types of equipment,  
50 offshore drilling equipment for use in oil or natural gas  
51 exploration or production shall include aircraft used  
52 predominately to transport passengers or property to or from  
53 offshore oil or natural gas exploration or production platforms or  
54 vessels, and engines, accessories and spare parts for such  
55 aircraft.

56 (d) Sales to commercial fishermen of commercial fishing  
57 boats of over five (5) tons load displacement and not more than  
58 fifty (50) tons load displacement as registered with the United  
59 States Coast Guard and licensed by the Mississippi Commission on  
60 Marine Resources.

61 (e) The gross income from repairs to vessels and barges  
62 engaged in foreign trade or interstate transportation.

63 (f) Sales of petroleum products to vessels or barges  
64 for consumption in marine international commerce or interstate  
65 transportation businesses.

66 (g) Sales and rentals of rail rolling stock (and  
67 component parts thereof) for ultimate use in interstate commerce  
68 and gross income from services with respect to manufacturing,  
69 repairing, cleaning, altering, reconditioning or improving such  
70 rail rolling stock (and component parts thereof).



71           (h) Sales of raw materials, catalysts, processing  
72 chemicals, welding gases or other industrial processing gases  
73 (except natural gas) used or consumed directly in manufacturing,  
74 repairing, cleaning, altering, reconditioning or improving such  
75 rail rolling stock (and component parts thereof). This exemption  
76 shall not apply to any property used as fuel.

77           (i) Sales of machinery or tools or repair parts  
78 therefor or replacements thereof, fuel or supplies used directly  
79 in manufacturing, converting or repairing ships, vessels or barges  
80 of three thousand (3,000) tons load displacement and over, but not  
81 to include office and plant supplies or other equipment not  
82 directly used on the ship, vessel or barge being built, converted  
83 or repaired. For purposes of this exemption, "ships, vessels or  
84 barges" shall not include floating structures described in Section  
85 27-65-18.

86           (j) Sales of tangible personal property to persons  
87 operating ships in international commerce for use or consumption  
88 on board such ships. This exemption shall be limited to cases in  
89 which procedures satisfactory to the commissioner, ensuring  
90 against use in this state other than on such ships, are  
91 established.

92           (k) Sales of materials used in the construction of a  
93 building, or any addition or improvement thereon, and sales of any  
94 machinery and equipment not later than three (3) months after the  
95 completion of construction of the building, or any addition



96 thereon, to be used therein, to qualified businesses, as defined  
97 in Section 57-51-5, which are located in a county or portion  
98 thereof designated as an enterprise zone pursuant to Sections  
99 57-51-1 through 57-51-15.

100 (l) Sales of materials used in the construction of a  
101 building, or any addition or improvement thereon, and sales of any  
102 machinery and equipment not later than three (3) months after the  
103 completion of construction of the building, or any addition  
104 thereon, to be used therein, to qualified businesses, as defined  
105 in Section 57-54-5.

106 (m) Income from storage and handling of perishable  
107 goods by a public storage warehouse.

108 (n) The value of natural gas lawfully injected into the  
109 earth for cycling, repressuring or lifting of oil, or lawfully  
110 vented or flared in connection with the production of oil;  
111 however, if any gas so injected into the earth is sold for such  
112 purposes, then the gas so sold shall not be exempt.

113 (o) The gross collections from self-service commercial  
114 laundering, drying, cleaning and pressing equipment.

115 (p) Sales of materials used in the construction of a  
116 building, or any addition or improvement thereon, and sales of any  
117 machinery and equipment not later than three (3) months after the  
118 completion of construction of the building, or any addition  
119 thereon, to be used therein, to qualified companies, certified as



120 such by the Mississippi Development Authority under Section  
121 57-53-1.

122 (q) Sales of component materials used in the  
123 construction of a building, or any addition or improvement  
124 thereon, sales of machinery and equipment to be used therein, and  
125 sales of manufacturing or processing machinery and equipment which  
126 is permanently attached to the ground or to a permanent foundation  
127 and which is not by its nature intended to be housed within a  
128 building structure, not later than three (3) months after the  
129 initial start-up date, to permanent business enterprises engaging  
130 in manufacturing or processing in Tier Three areas (as such term  
131 is defined in Section 57-73-21), which businesses are certified by  
132 the Department of Revenue as being eligible for the exemption  
133 granted in this paragraph (q).

134 (r) (i) Sales of component materials used in the  
135 construction of a building, or any addition or improvement  
136 thereon, and sales of any machinery and equipment not later than  
137 three (3) months after the completion of the building, addition or  
138 improvement thereon, to be used therein, for any company  
139 establishing or transferring its national or regional headquarters  
140 from within or outside the State of Mississippi and creating a  
141 minimum of twenty (20) jobs at the new headquarters in this state.  
142 The Department of Revenue shall establish criteria and prescribe  
143 procedures to determine if a company qualifies as a national or



144 regional headquarters for the purpose of receiving the exemption  
145 provided in this subparagraph (i).

146 (ii) Sales of component materials used in the  
147 construction of a building, or any addition or improvement  
148 thereon, and sales of any machinery and equipment not later than  
149 three (3) months after the completion of the building, addition or  
150 improvement thereon, to be used therein, for any company expanding  
151 or making additions after January 1, 2013, to its national or  
152 regional headquarters within the State of Mississippi and creating  
153 a minimum of twenty (20) new jobs at the headquarters as a result  
154 of the expansion or additions. The Department of Revenue shall  
155 establish criteria and prescribe procedures to determine if a  
156 company qualifies as a national or regional headquarters for the  
157 purpose of receiving the exemption provided in this subparagraph  
158 (ii).

159 (s) The gross proceeds from the sale of semitrailers,  
160 trailers, boats, travel trailers, motorcycles and all-terrain  
161 cycles if exported from this state within forty-eight (48) hours  
162 and registered and first used in another state.

163 (t) Gross income from the storage and handling of  
164 natural gas in underground salt domes and in other underground  
165 reservoirs, caverns, structures and formations suitable for such  
166 storage.

167 (u) Sales of machinery and equipment to nonprofit  
168 organizations if the organization:



169 (i) Is tax exempt pursuant to Section 501(c)(4) of  
170 the Internal Revenue Code of 1986, as amended;

171 (ii) Assists in the implementation of the  
172 contingency plan or area contingency plan, and which is created in  
173 response to the requirements of Title IV, Subtitle B of the Oil  
174 Pollution Act of 1990, Public Law 101-380; and

175 (iii) Engages primarily in programs to contain,  
176 clean up and otherwise mitigate spills of oil or other substances  
177 occurring in the United States coastal and tidal waters.

178 For purposes of this exemption, "machinery and equipment"  
179 means any ocean-going vessels, barges, booms, skimmers and other  
180 capital equipment used primarily in the operations of nonprofit  
181 organizations referred to herein.

182 (v) Sales or leases of materials and equipment to  
183 approved business enterprises as provided under the Growth and  
184 Prosperity Act.

185 (w) From and after July 1, 2001, sales of pollution  
186 control equipment to manufacturers or custom processors for  
187 industrial use. For the purposes of this exemption, "pollution  
188 control equipment" means equipment, devices, machinery or systems  
189 used or acquired to prevent, control, monitor or reduce air, water  
190 or groundwater pollution, or solid or hazardous waste as required  
191 by federal or state law or regulation.

192 (x) Sales or leases to a manufacturer of motor vehicles  
193 or powertrain components operating a project that has been





194 certified by the Mississippi Major Economic Impact Authority as a  
195 project as defined in Section 57-75-5(f)(iv)1, Section  
196 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii) of machinery and  
197 equipment; special tooling such as dies, molds, jigs and similar  
198 items treated as special tooling for federal income tax purposes;  
199 or repair parts therefor or replacements thereof; repair services  
200 thereon; fuel, supplies, electricity, coal and natural gas used  
201 directly in the manufacture of motor vehicles or motor vehicle  
202 parts or used to provide climate control for manufacturing areas.

203 (y) Sales or leases of component materials, machinery  
204 and equipment used in the construction of a building, or any  
205 addition or improvement thereon to an enterprise operating a  
206 project that has been certified by the Mississippi Major Economic  
207 Impact Authority as a project as defined in Section  
208 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi), Section 57-75-5(f)(xxii)  
209 or Section 57-75-5(f)(xxviii) and any other sales or leases  
210 required to establish or operate such project.

211 (z) Sales of component materials and equipment to a  
212 business enterprise as provided under Section 57-64-33.

213 (aa) The gross income from the stripping and painting  
214 of commercial aircraft engaged in foreign or interstate  
215 transportation business.

216 (bb) [Repealed]

217 (cc) Sales or leases to an enterprise owning or  
218 operating a project that has been designated by the Mississippi



219 Major Economic Impact Authority as a project as defined in Section  
220 57-75-5(f) (xviii) of machinery and equipment; special tooling such  
221 as dies, molds, jigs and similar items treated as special tooling  
222 for federal income tax purposes; or repair parts therefor or  
223 replacements thereof; repair services thereon; fuel, supplies,  
224 electricity, coal and natural gas used directly in the  
225 manufacturing/production operations of the project or used to  
226 provide climate control for manufacturing/production areas.

227 (dd) Sales or leases of component materials, machinery  
228 and equipment used in the construction of a building, or any  
229 addition or improvement thereon to an enterprise owning or  
230 operating a project that has been designated by the Mississippi  
231 Major Economic Impact Authority as a project as defined in Section  
232 57-75-5(f) (xviii) and any other sales or leases required to  
233 establish or operate such project.

234 (ee) Sales of parts used in the repair and servicing of  
235 aircraft not registered in Mississippi engaged exclusively in the  
236 business of foreign or interstate transportation to businesses  
237 engaged in aircraft repair and maintenance.

238 (ff) Sales of component materials used in the  
239 construction of a facility, or any addition or improvement  
240 thereon, and sales or leases of machinery and equipment not later  
241 than three (3) months after the completion of construction of the  
242 facility, or any addition or improvement thereto, to be used in  
243 the building or any addition or improvement thereto, to a



244 permanent business enterprise operating a data/information  
245 enterprise in Tier Three areas (as such areas are designated in  
246 accordance with Section 57-73-21), meeting minimum criteria  
247 established by the Mississippi Development Authority.

248 (gg) Sales of component materials used in the  
249 construction of a facility, or any addition or improvement  
250 thereto, and sales of machinery and equipment not later than three  
251 (3) months after the completion of construction of the facility,  
252 or any addition or improvement thereto, to be used in the facility  
253 or any addition or improvement thereto, to technology intensive  
254 enterprises for industrial purposes in Tier Three areas (as such  
255 areas are designated in accordance with Section 57-73-21), as  
256 certified by the Department of Revenue. For purposes of this  
257 paragraph, an enterprise must meet the criteria provided for in  
258 Section 27-65-17(1)(f) in order to be considered a technology  
259 intensive enterprise.

260 (hh) Sales of component materials used in the  
261 replacement, reconstruction or repair of a building or facility  
262 that has been destroyed or sustained extensive damage as a result  
263 of a disaster declared by the Governor, sales of machinery and  
264 equipment to be used therein to replace machinery or equipment  
265 damaged or destroyed as a result of such disaster, including, but  
266 not limited to, manufacturing or processing machinery and  
267 equipment which is permanently attached to the ground or to a  
268 permanent foundation and which is not by its nature intended to be



269 housed within a building structure, to enterprises or companies  
270 that were eligible for the exemptions authorized in paragraph (q),  
271 (r), (ff) or (gg) of this subsection during initial construction  
272 of the building that was destroyed or damaged, which enterprises  
273 or companies are certified by the Department of Revenue as being  
274 eligible for the exemption granted in this paragraph.

275 (ii) Sales of software or software services transmitted  
276 by the Internet to a destination outside the State of Mississippi  
277 where the first use of such software or software services by the  
278 purchaser occurs outside the State of Mississippi.

279 (jj) Gross income of public storage warehouses derived  
280 from the temporary storage of raw materials that are to be used in  
281 an eligible facility as defined in Section 27-7-22.35.

282 (kk) Sales of component building materials and  
283 equipment for initial construction of facilities or expansion of  
284 facilities as authorized under Sections 57-113-1 through 57-113-7  
285 and Sections 57-113-21 through 57-113-27.

286 (ll) Sales and leases of machinery and equipment  
287 acquired in the initial construction to establish facilities as  
288 authorized in Sections 57-113-1 through 57-113-7.

289 (mm) Sales and leases of replacement hardware, software  
290 or other necessary technology to operate a data center as  
291 authorized under Sections 57-113-21 through 57-113-27.

292 (nn) Sales of component materials used in the  
293 construction of a building, or any addition or improvement



294 thereon, and sales or leases of machinery and equipment not later  
295 than three (3) months after the completion of the construction of  
296 the facility, to be used in the facility, to permanent business  
297 enterprises operating a facility producing renewable crude oil  
298 from biomass harvested or produced, in whole or in part, in  
299 Mississippi, which businesses meet minimum criteria established by  
300 the Mississippi Development Authority. As used in this paragraph,  
301 the term "biomass" shall have the meaning ascribed to such term in  
302 Section 57-113-1.

303 (oo) Sales of supplies, equipment and other personal  
304 property to an organization that is exempt from taxation under  
305 Section 501(c)(3) of the Internal Revenue Code and is the host  
306 organization coordinating a professional golf tournament played or  
307 to be played in this state and the supplies, equipment or other  
308 personal property will be used for purposes related to the golf  
309 tournament and related activities.

310 (pp) Sales of materials used in the construction of a  
311 health care industry facility, as defined in Section 57-117-3, or  
312 any addition or improvement thereon, and sales of any machinery  
313 and equipment not later than three (3) months after the completion  
314 of construction of the facility, or any addition thereon, to be  
315 used therein, to qualified businesses, as defined in Section  
316 57-117-3. This paragraph shall be repealed from and after July 1,  
317 2022.



318           (qq) Sales or leases to a manufacturer of automotive  
319 parts operating a project that has been certified by the  
320 Mississippi Major Economic Impact Authority as a project as  
321 defined in Section 57-75-5(f) (xxviii) of machinery and equipment;  
322 or repair parts therefor or replacements thereof; repair services  
323 thereon; fuel, supplies, electricity, coal, nitrogen and natural  
324 gas used directly in the manufacture of automotive parts or used  
325 to provide climate control for manufacturing areas.

326           (rr) Gross collections derived from guided tours on any  
327 navigable waters of this state, which include providing  
328 accommodations, guide services and/or related equipment operated  
329 by or under the direction of the person providing the tour, for  
330 the purposes of outdoor tourism. The exemption provided in this  
331 paragraph (rr) does not apply to the sale of tangible personal  
332 property by a person providing such tours.

333           (ss) Retail sales of truck-tractors and semitrailers  
334 used in interstate commerce and registered under the International  
335 Registration Plan (IRP) or any similar reciprocity agreement or  
336 compact relating to the proportional registration of commercial  
337 vehicles entered into as provided for in Section 27-19-143.

338           (tt) Sales exempt under the Facilitating Business Rapid  
339 Response to State Declared Disasters Act of 2015 (Sections  
340 27-113-1 through 27-113-9).

341           (uu) Sales or leases to an enterprise and its  
342 affiliates operating a project that has been certified by the



343 Mississippi Major Economic Impact Authority as a project as  
344 defined in Section 57-75-5(f) (xxix) of:

345 (i) All personal property and fixtures, including  
346 without limitation, sales or leases to the enterprise and its  
347 affiliates of:

348 1. Manufacturing machinery and equipment;

349 2. Special tooling such as dies, molds, jigs  
350 and similar items treated as special tooling for federal income  
351 tax purposes;

352 3. Component building materials, machinery  
353 and equipment used in the construction of buildings, and any other  
354 additions or improvements to the project site for the project;

355 4. Nonmanufacturing furniture, fixtures and  
356 equipment (inclusive of all communications, computer, server,  
357 software and other hardware equipment); and

358 5. Fuel, supplies (other than  
359 nonmanufacturing consumable supplies and water), electricity,  
360 nitrogen gas and natural gas used directly in the  
361 manufacturing/production operations of such project or used to  
362 provide climate control for manufacturing/production areas of such  
363 project;

364 (ii) All replacements of, repair parts for or  
365 services to repair items described in subparagraph (i)1, 2 and 3  
366 of this paragraph; and



367 (iii) All services taxable pursuant to Section  
368 27-65-23 required to establish, support, operate, repair and/or  
369 maintain such project.

370 (vv) Sales or leases to an enterprise operating a  
371 project that has been certified by the Mississippi Major Economic  
372 Impact Authority as a project as defined in Section  
373 57-75-5(f) (xxx) of:

374 (i) Purchases required to establish and operate  
375 the project, including, but not limited to, sales of component  
376 building materials, machinery and equipment required to establish  
377 the project facility and any additions or improvements thereon;  
378 and

379 (ii) Machinery, special tools (such as dies,  
380 molds, and jigs) or repair parts thereof, or replacements and  
381 lease thereof, repair services thereon, fuel, supplies and  
382 electricity, coal and natural gas used in the manufacturing  
383 process and purchased by the enterprise owning or operating the  
384 project for the benefit of the project.

385 (ww) Sales of personal property and services to a  
386 limited liability company or other entity that is wholly owned by  
387 a railroad authority created under Section 19-29-1 et seq., when  
388 used by the limited liability company or other entity solely in  
389 the operation of and/or as part of railroad properties and  
390 facilities in this state shall be exempt to the same extent as  
391 such sales are exempt when made to such a railroad authority. For





392 the purposes of this paragraph (ww), the term "railroad properties  
393 and facilities" means and has the same definition as that term has  
394 in Section 19-29-5.

395 (2) Sales of component materials used in the construction of  
396 a building, or any addition or improvement thereon, sales of  
397 machinery and equipment to be used therein, and sales of  
398 manufacturing or processing machinery and equipment which is  
399 permanently attached to the ground or to a permanent foundation  
400 and which is not by its nature intended to be housed within a  
401 building structure, not later than three (3) months after the  
402 initial start-up date, to permanent business enterprises engaging  
403 in manufacturing or processing in Tier Two areas and Tier One  
404 areas (as such areas are designated in accordance with Section  
405 57-73-21), which businesses are certified by the Department of  
406 Revenue as being eligible for the exemption granted in this  
407 subsection, shall be exempt from one-half (1/2) of the taxes  
408 imposed on such transactions under this chapter.

409 (3) Sales of component materials used in the construction of  
410 a facility, or any addition or improvement thereon, and sales or  
411 leases of machinery and equipment not later than three (3) months  
412 after the completion of construction of the facility, or any  
413 addition or improvement thereto, to be used in the building or any  
414 addition or improvement thereto, to a permanent business  
415 enterprise operating a data/information enterprise in Tier Two  
416 areas and Tier One areas (as such areas are designated in



417 accordance with Section 57-73-21), which businesses meet minimum  
418 criteria established by the Mississippi Development Authority,  
419 shall be exempt from one-half (1/2) of the taxes imposed on such  
420 transaction under this chapter.

421 (4) Sales of component materials used in the construction of  
422 a facility, or any addition or improvement thereto, and sales of  
423 machinery and equipment not later than three (3) months after the  
424 completion of construction of the facility, or any addition or  
425 improvement thereto, to be used in the building or any addition or  
426 improvement thereto, to technology intensive enterprises for  
427 industrial purposes in Tier Two areas and Tier One areas (as such  
428 areas are designated in accordance with Section 57-73-21), which  
429 businesses are certified by the Department of Revenue as being  
430 eligible for the exemption granted in this subsection, shall be  
431 exempt from one-half (1/2) of the taxes imposed on such  
432 transactions under this chapter. For purposes of this subsection,  
433 an enterprise must meet the criteria provided for in Section  
434 27-65-17(1)(f) in order to be considered a technology intensive  
435 enterprise.

436 (5) (a) For purposes of this subsection:

437 (i) "Telecommunications enterprises" shall have  
438 the meaning ascribed to such term in Section 57-73-21;

439 (ii) "Tier One areas" mean counties designated as  
440 Tier One areas pursuant to Section 57-73-21;



441 (iii) "Tier Two areas" mean counties designated as  
442 Tier Two areas pursuant to Section 57-73-21;

443 (iv) "Tier Three areas" mean counties designated  
444 as Tier Three areas pursuant to Section 57-73-21; and

445 (v) "Equipment used in the deployment of broadband  
446 technologies" means any equipment capable of being used for or in  
447 connection with the transmission of information at a rate, prior  
448 to taking into account the effects of any signal degradation, that  
449 is not less than three hundred eighty-four (384) kilobits per  
450 second in at least one (1) direction, including, but not limited  
451 to, asynchronous transfer mode switches, digital subscriber line  
452 access multiplexers, routers, servers, multiplexers, fiber optics  
453 and related equipment.

454 (b) Sales of equipment to telecommunications  
455 enterprises after June 30, 2003, and before July 1, 2020, that is  
456 installed in Tier One areas and used in the deployment of  
457 broadband technologies shall be exempt from one-half (1/2) of the  
458 taxes imposed on such transactions under this chapter.

459 (c) Sales of equipment to telecommunications  
460 enterprises after June 30, 2003, and before July 1, 2020, that is  
461 installed in Tier Two and Tier Three areas and used in the  
462 deployment of broadband technologies shall be exempt from the  
463 taxes imposed on such transactions under this chapter.

464 (6) Sales of component materials used in the replacement,  
465 reconstruction or repair of a building that has been destroyed or



466 sustained extensive damage as a result of a disaster declared by  
467 the Governor, sales of machinery and equipment to be used therein  
468 to replace machinery or equipment damaged or destroyed as a result  
469 of such disaster, including, but not limited to, manufacturing or  
470 processing machinery and equipment which is permanently attached  
471 to the ground or to a permanent foundation and which is not by its  
472 nature intended to be housed within a building structure, to  
473 enterprises that were eligible for the partial exemptions provided  
474 for in subsections (2), (3) and (4) of this section during initial  
475 construction of the building that was destroyed or damaged, which  
476 enterprises are certified by the Department of Revenue as being  
477 eligible for the partial exemption granted in this subsection,  
478 shall be exempt from one-half (1/2) of the taxes imposed on such  
479 transactions under this chapter.

480       **SECTION 2.** Nothing in this act shall affect or defeat any  
481 claim, assessment, appeal, suit, right or cause of action for  
482 taxes due or accrued under the sales tax laws before the date on  
483 which this act becomes effective, whether such claims,  
484 assessments, appeals, suits or actions have been begun before the  
485 date on which this act becomes effective or are begun thereafter;  
486 and the provisions of the sales tax laws are expressly continued  
487 in full force, effect and operation for the purpose of the  
488 assessment, collection and enrollment of liens for any taxes due  
489 or accrued and the execution of any warrant under such laws before  
490 the date on which this act becomes effective, and for the



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

493           **SECTION 3.** This act shall take effect and be in force from  
494 and after July 1, 2017.

