

By: Representative Reynolds

To: Ways and Means

HOUSE BILL NO. 189

1 AN ACT TO AMEND SECTION 27-31-53, MISSISSIPPI CODE OF 1972,
 2 TO PROVIDE THAT PERSONAL PROPERTY THAT IS CONSIGNED OR TRANSFERRED
 3 TO A LICENSED FREE PORT WAREHOUSE, PUBLIC OR PRIVATE, WITHIN THE
 4 STATE OF MISSISSIPPI, FOR STORAGE PENDING TRANSIT TO NOT MORE THAN
 5 ONE OTHER LOCATION IN THIS STATE FOR PRODUCTION OR PROCESSING INTO
 6 A COMPONENT OR PART THAT IS THEN TRANSPORTED TO A FINAL
 7 DESTINATION OUTSIDE OF THE STATE OF MISSISSIPPI, IS ELIGIBLE FOR
 8 EXEMPTION FROM AD VALOREM TAXES; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 27-31-53, Mississippi Code of 1972, is
 11 amended as follows:

12 27-31-53. All personal property in transit through this
 13 state which is (a) moving in interstate commerce through or over
 14 the territory of the State of Mississippi, (b) which was consigned
 15 or transferred to a licensed "free port warehouse," public or
 16 private, within the State of Mississippi for storage in transit to
 17 a final destination outside the State of Mississippi, whether
 18 specified when transportation begins or afterward, * * * (c)
 19 manufactured in the State of Mississippi and stored in separate
 20 facilities, structures, places or areas maintained by a
 21 manufacturer, licensed as a free port warehouse, for temporary



22 storage or handling pending transit to a final destination outside
23 the State of Mississippi, or (d) consigned or transferred to a
24 licensed "free port warehouse," public or private, within the
25 State of Mississippi, for storage pending transit to not more than
26 one (1) other location in this state for production or processing
27 into a component or part that is then transported to a final
28 destination outside of the State of Mississippi, may, in the
29 discretion of the board of supervisors of the county wherein the
30 warehouse or storage facility is located, and in the discretion of
31 the governing authorities of the municipality wherein the
32 warehouse or storage facility is located, as the case may be, be
33 exempt from all ad valorem taxes imposed by the respective county
34 or municipality and the property exempted therefrom shall not be
35 deemed to have acquired a situs in the State of Mississippi for
36 the purposes of such taxation. Any exemption granted to a
37 licensed "free port warehouse" pursuant to this section shall be
38 effective as of the first calendar day of the taxable year in
39 which the warehouse applied for the exemption by virtue of
40 submitting the application for licensure, and shall remain in
41 effect for such period of time as the respective governing
42 authority may prescribe. Such property shall not be deprived of
43 exemption because while in a warehouse the property is bound,
44 divided, broken in bulk, labeled, relabeled or repackaged. Any
45 exemption from ad valorem taxes granted before January 1, 2012, is
46 hereby ratified, approved and confirmed.



47 **SECTION 2.** Nothing in this act shall affect or defeat any
48 claim, assessment, appeal, suit, right or cause of action for
49 taxes due or accrued under the ad valorem tax laws before the date
50 on which this act becomes effective, whether such claims,
51 assessments, appeals, suits or actions have been begun before the
52 date on which this act becomes effective or are begun thereafter;
53 and the provisions of the ad valorem tax laws are expressly
54 continued in full force, effect and operation for the purpose of
55 the assessment, collection and enrollment of liens for any taxes
56 due or accrued and the execution of any warrant under such laws
57 before the date on which this act becomes effective, and for the
58 imposition of any penalties, forfeitures or claims for failure to
59 comply with such laws.

60 **SECTION 3.** This act shall take effect and be in force from
61 and after January 1, 2018.

