

By: Representative White

To: Ways and Means

HOUSE BILL NO. 881

1 AN ACT TO AMEND SECTION 27-111-1, MISSISSIPPI CODE OF 1972,
 2 TO EXTEND THE DATE OF THE REPEALER ON THE GOVERNOR'S AUTHORITY TO
 3 ISSUE PAYMENT CREDIT VOUCHERS THAT MAY BE USED AS CREDIT AGAINST
 4 THE INCOME AND CORPORATION FRANCHISE TAX LIABILITY OF CERTAIN
 5 TELECOMMUNICATIONS ENTERPRISES PROVIDING BROADBAND
 6 TELECOMMUNICATIONS SERVICES TO INSTITUTIONS OF HIGHER LEARNING;
 7 AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 27-111-1, Mississippi Code of 1972, is
 10 amended as follows:

11 27-111-1. (1) The Governor shall be authorized to issue to
 12 a telecommunications enterprise that has contracted with the state
 13 to provide broadband telecommunications service to institutions of
 14 higher learning, a payment credit voucher in lieu of an equal
 15 amount of cash payment pursuant to the terms of the contract for
 16 services. The payment credit voucher shall entitle the
 17 telecommunications enterprise to a credit against the aggregate
 18 tax liabilities imposed on such telecommunications enterprise by
 19 Chapters 7 and 13 of Title 27, Mississippi Code of 1972, in an
 20 amount that is equal to such payment credit voucher.



21 (2) The tax credits in lieu of payment shall only be issued
22 if agreed to by the telecommunications enterprise and authorized
23 by the Governor with a signed payment credit voucher.

24 (3) The total amount of tax credits authorized under this
25 section in any fiscal year shall not exceed Two Million Dollars
26 (\$2,000,000.00) in the aggregate.

27 (4) The excess, if any, of the credit allowed by this
28 section over the aggregate tax liabilities imposed against the
29 telecommunications enterprise by Chapters 7 and 13 of Title 27,
30 Mississippi Code of 1972, may be utilized against the aggregate
31 tax liabilities imposed by Chapters 7 and 13 of Title 27,
32 Mississippi Code of 1972, on any related member with respect to
33 the telecommunications enterprise. For purposes of this
34 subsection, the term "related member" shall have the meaning given
35 to such term by Section 27-7-17(2)(a)(iv). If the provider or any
36 related member is unable to utilize the full amount of the credit
37 voucher, then the remaining amount shall constitute an overpayment
38 of the tax imposed by Chapter 7 of Title 27, Mississippi Code of
39 1972, and shall be refunded to the service provider as provided in
40 Section 27-7-51. Any such overpayment shall be paid by the
41 commissioner not later than ninety (90) days after the filing of
42 the applicable tax return by the service provider. Interest on
43 the overpayment shall be computed under the provisions of Section
44 27-7-315.



45 (5) The tax credits authorized by this section shall be used
46 to assist the state in managing its cash flows, shall apply in
47 addition to, and after the application of, all other credits
48 applicable to the service provider and shall not be used in
49 determining any cap placed on any other tax credits applicable to
50 the telecommunications enterprise.

51 (6) For purposes of this subsection, the term
52 "telecommunications enterprises" shall have the meaning given to
53 such term by Section 57-73-21(14) (b).

54 (7) This section shall be repealed from and after July
55 1, * * * 2021.

56 **SECTION 2.** This act shall take effect and be in force from
57 and after July 1, 2018.

