

By: Representative Banks

To: Technology;
Appropriations

HOUSE BILL NO. 1232

1 AN ACT TO AMEND SECTION 31-31-11, MISSISSIPPI CODE OF 1972,
2 TO CLARIFY THE AUTHORITY OF THE TELECOMMUNICATION CONFERENCE AND
3 TRAINING COMMISSION TO EXPEND CERTAIN MONIES; TO BRING FORWARD
4 SECTIONS 31-31-7 AND 31-31-9, MISSISSIPPI CODE OF 1972, WHICH
5 PROVIDE FOR THE MISSISSIPPI TELECOMMUNICATION CONFERENCE AND
6 TRAINING CENTER FUND; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 31-31-11, Mississippi Code of 1972, is
9 amended as follows:

10 31-31-11. (1) For the purpose of providing funds for the
11 payment of a certain portion of the debt service on any bonds
12 issued pursuant to this chapter and for the purpose of providing
13 funds for the maintenance of the facility and renovations,
14 improvements and additions to the facility, there is hereby
15 levied, assessed and shall be collected from every person engaging
16 in or doing business in the City of Jackson, Mississippi, as
17 specified herein, a tax which may be cited as an "occupancy tax,"
18 which shall be in addition to all other taxes now imposed. Such
19 tax shall be upon each hotel and motel located within the City of



20 Jackson in the amount of Seventy-five Cents (75¢) per day for each
21 occupied room.

22 (2) Persons liable for the tax imposed herein shall add the
23 amount of tax to the price of rooms, and in addition thereto shall
24 collect, insofar as practicable, the amount of the tax due by him
25 from the person receiving the services or goods at the time of
26 payment therefor.

27 (3) Such tax shall be collected by and paid to the State Tax
28 Commission on a form prescribed by the State Tax Commission, in
29 the same manner that state sales taxes are collected and paid; and
30 the full enforcement provisions and all other provisions of
31 Chapter 65, Title 27, Mississippi Code of 1972, shall apply as
32 necessary to the implementation and administration of this
33 chapter.

34 (4) The proceeds of such tax shall be deposited by the State
35 Tax Commission into the reserve fund created pursuant to
36 subsection (5) of this section on or before the fifteenth day of
37 the month following the month in which collected by the State Tax
38 Commission.

39 (5) There is hereby created in the State Treasury a special
40 fund to be called the "Mississippi Telecommunication Conference
41 and Training Facility Reserve Fund." Money in the fund at the end
42 of a fiscal year shall not lapse into the general fund and
43 interest earned on any amount deposited into the fund shall be
44 credited to the special fund. Money in the fund shall be used to



45 pay a portion of the debt service of the bonds issued pursuant to
46 this chapter as specified in subsection (6) of this section and to
47 provide funds for the maintenance and operation of the facility,
48 including, but not limited to, the director and all other
49 personnel for operational purposes. Provided, however, that not
50 more than Twenty-five Thousand Dollars (\$25,000.00) shall be
51 available from the special fund to defray the costs of operation
52 of the facility from and after passage of this act through June
53 30, 2005.

54 (6) Except as otherwise provided in this subsection (6), the
55 amount of the debt service that shall be paid annually from the
56 reserve fund shall be the amount of the debt service on bonds
57 attributable to forty percent (40%) of the cost of constructing
58 the facility and the amount of the debt service on bonds
59 attributable to all land acquisition costs. From and after July
60 1, 2018, all amounts * * * in the fund * * * may be used by the
61 commission to provide funds for the maintenance of the facility
62 and renovations, improvements and additions to the facility.

63 (7) Before the taxes authorized by this chapter shall be
64 imposed, the municipal governing authorities of the City of
65 Jackson shall adopt a resolution declaring its intention to levy
66 the tax, setting forth the amount of such tax and establishing the
67 date on which this tax initially shall be levied and collected.
68 This date shall be not less than the first day of the second month
69 from the date of adoption of the resolution.



70 The resolution shall be published in a local newspaper at
71 least twice during the period from the adoption of the resolution
72 to the effective date of the taxation prescribed in this section,
73 with the last publication being made no later than ten (10) days
74 prior to the effective date of such taxation.

75 (8) The tax imposed pursuant to this section shall remain in
76 force and effect until the City of Jackson shall by resolution
77 rescind the tax * * *.

78 **SECTION 2.** Section 31-31-7, Mississippi Code of 1972, is
79 brought forward as follows:

80 31-31-7. The commission shall have the following powers:

81 (a) To sue and be sued in its own name;

82 (b) To maintain offices at such places as it may
83 designate;

84 (c) To establish, construct, enlarge, improve,
85 maintain, equip, operate and regulate the facility and other
86 property incidental thereto, including any additional property or
87 facilities considered by the commission to promote the business,
88 usage or economic viability of the facility;

89 (d) To grant to others the privilege to operate for
90 profit concessions, leases and franchises, including but not
91 limited to, the furnishing of food and banquet services,
92 management services, and other services necessary to the operation
93 of the facility and such concessions, leases and franchises shall
94 be exclusive or limited;



95 (e) To determine fees, rates and charges for the use of
96 its facilities;

97 (f) To apply for and accept gifts, or grants of money
98 or gifts, grants or loans of other property or other financial
99 assistance from any source;

100 (g) To borrow funds needed to carry out the purposes of
101 this chapter; provided, however, that such debt may be secured
102 only by the revenues generated by the facility, funds generated by
103 the tax levied pursuant to Section 31-31-11 and the proceeds of
104 any bonds issued pursuant to this chapter;

105 (h) To appoint, employ or engage such officers,
106 employees, architects, engineers, attorneys, accountants,
107 financial advisors, investment bankers and other advisors,
108 consultants, and agents as may be necessary or appropriate;

109 (i) To make, assume and enter into all contracts,
110 leases and arrangements necessary or incidental to the exercise
111 for its powers, including contracts for management, operation or
112 marketing of all or any part of its facilities;

113 (j) To adopt, amend and repeal rules and regulations
114 for the use, maintenance and operation of its facilities and
115 governing the conduct of persons and organizations using its
116 facilities and to enforce such rules and regulations; and

117 (k) To do all things necessary or convenient to the
118 purposes of this chapter.



119 **SECTION 3.** Section 31-31-9, Mississippi Code of 1972, is
120 brought forward as follows:

121 31-31-9. All monies and revenues collected by the commission
122 from fees, rates and charges for the use of its facilities shall
123 be paid by the commission to the State Treasurer, to be deposited
124 to the credit of a special fund to be known as the Mississippi
125 Telecommunication Conference and Training Center Fund. Money in
126 the fund at the end of a fiscal year shall not lapse into the
127 General Fund and interest earned on any amounts deposited into the
128 fund shall be credited to the special fund. Except as otherwise
129 provided in Section 31-31-11, all expenses incident to the
130 operation and upkeep of the facility shall be paid out of the
131 fund.

132 **SECTION 4.** This act shall take effect and be in force from
133 and after July 1, 2018.

