

By: Senator(s) Horhn

To: Finance; Education

SENATE BILL NO. 2456

1 AN ACT TO AMEND SECTION 27-51-41, MISSISSIPPI CODE OF 1972,
 2 TO EXEMPT FROM AD VALOREM TAXATION ONE VEHICLE OWNED BY A
 3 STATE-LICENSED TEACHER EMPLOYED BY A PUBLIC SCHOOL DISTRICT
 4 SITUATED WITHIN A GEOGRAPHICAL AREA OF THE STATE WHERE THERE
 5 EXISTS A CRITICAL SHORTAGE OF TEACHERS, AS DESIGNATED BY THE STATE
 6 BOARD OF EDUCATION; TO PROVIDE A 50% DISCOUNT OFF THE AD VALOREM
 7 TAX ON ONE MOTOR VEHICLE OWNED BY A STATE-LICENSED TEACHER
 8 EMPLOYED BY ANY OTHER PUBLIC SCHOOL DISTRICT IN THE STATE; AND FOR
 9 RELATED PURPOSES.

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

11 **SECTION 1.** Section 27-51-41, Mississippi Code of 1972, is
 12 amended as follows:

13 27-51-41. (1) The exemptions from the provisions of this
 14 chapter shall be confined to those persons or property exempted by
 15 this chapter or by the provisions of the Constitution of the
 16 United States or the State of Mississippi. No exemption as now
 17 provided by any other statute shall be valid as against the tax
 18 levied by this chapter. Any subsequent exemption from the tax
 19 levied hereunder shall be provided by amendment to this section
 20 which shall be inserted in the bill at length.

21 (2) The following shall be exempt from ad valorem taxation:



22 (a) All motor vehicles, as defined in this chapter, and
23 including motor-propelled farm implements and vehicles, while in
24 the hands of bona fide dealers as merchandise and which are not
25 being operated upon the highways of this state.

26 (b) All motor vehicles belonging to the federal
27 government or the State of Mississippi or any agencies or
28 instrumentalities thereof.

29 (c) All motor vehicles owned by any school district in
30 the state.

31 (d) All motor vehicles owned by any fire protection
32 district incorporated in accordance with Sections 19-5-151 through
33 19-5-207 or by any fire protection grading district incorporated
34 in accordance with Sections 19-5-215 through 19-5-241.

35 (e) All motor vehicles owned by units of the
36 Mississippi National Guard.

37 (f) All motor vehicles which are exempted from highway
38 privilege taxes under Section 27-19-1 et seq.

39 (g) All motor vehicles operated in this state as common
40 and contract carriers of property, private commercial carriers of
41 property, private carriers of property and buses, all of which
42 have a gross weight in excess of ten thousand (10,000) pounds.

43 (h) Antique automobiles as defined in Section 27-19-47,
44 and antique pickup trucks as provided for under Section
45 27-19-47.2, Mississippi Code of 1972.

46 (i) Street rods as defined in Section 27-19-56.6.



47 (j) One (1) motor vehicle owned by a disabled American
48 veteran, or by the spouse of a deceased disabled American veteran,
49 who is entitled to purchase a distinctive license plate or tag in
50 accordance with Section 27-19-53, regardless of the license plate
51 or tag issued to the disabled American veteran or the veteran's
52 spouse if the disabled American veteran is deceased.

53 (k) One (1) motor vehicle owned by the unremarried
54 surviving spouse of a member of the Armed Forces of the United
55 States who, while on active duty, is killed or dies and one (1)
56 motor vehicle owned by the unremarried surviving spouse of a
57 member of a reserve component of the Armed Forces of the United
58 States or of the National Guard who, while on active duty for
59 training, is killed or dies.

60 (l) Motor vehicles owned by recipients of the
61 Congressional Medal of Honor or by former prisoners of war, or by
62 spouses of such deceased persons, in accordance with Section
63 27-19-54.

64 (m) (i) One (1) private carrier of passengers, as
65 defined in Section 27-19-3, owned by any religious society,
66 ecclesiastical body or any congregation thereof which is used
67 exclusively for such society and not for profit.

68 (ii) All motor vehicles owned by any such
69 religious society or any educational institution having a seating
70 capacity greater than seven (7) passengers and used exclusively



71 for transporting passengers for religious or educational purposes
72 and not for profit.

73 (n) All motor vehicles primarily used as rentals under
74 rental agreements with a term of not more than thirty (30)
75 continuous days each and under the control of persons who are
76 engaged in the business of renting such motor vehicles and who are
77 subject to the tax under Section 27-65-231.

78 (o) Antique motorcycles as defined in Section
79 27-19-47.1.

80 (p) One (1) motor vehicle owned by a recipient of the
81 Purple Heart, and one (1) motor vehicle owned by the unremarried
82 surviving spouse of a recipient of the Purple Heart, as provided
83 in Section 27-19-56.5.

84 (q) Motor vehicles that are eligible to display an
85 authentic historical license plate as provided for in Section
86 27-19-56.11.

87 (r) Motor vehicles that are (i) designed or adapted to
88 be used exclusively in the preparation and loading of chemicals or
89 other material for aerial agricultural application to crops; and
90 (ii) only incidentally used on public roadways in this state.

91 (s) One (1) motor vehicle owned by the mother of a
92 service member who was killed in action or died in a combat zone
93 after September 11, 2001, while serving in the Armed Forces of the
94 United States as provided for in Section 27-19-56.162.



95 (t) One (1) motor vehicle owned by the unremarried
96 spouse of a service member who was killed in action or died in a
97 combat zone after September 11, 2001, while serving in the Armed
98 Forces of the United States as provided for in Section
99 27-19-56.162.

100 (u) Buses and other motor vehicles that are (a) owned
101 and operated by an entity that has entered into a contract with a
102 school board under Section 37-41-31 for the purpose of
103 transporting students to and from schools and (b) used by the
104 entity for such transportation purposes. This paragraph (u) shall
105 apply to contracts entered into or renewed on or after July 1,
106 2010.

107 (v) One (1) motor vehicle owned by a recipient of the
108 Silver Star, and one (1) motor vehicle owned by the unremarried
109 surviving spouse of a recipient of the Silver Star, as provided in
110 Section 27-19-56.284.

111 (w) One (1) motor vehicle owned by a person who is a
112 law enforcement officer and who (i) was wounded or otherwise
113 received intentional or accidental bodily injury, regardless of
114 whether occurring before or after July 1, 2014, while engaged in
115 the performance of his official duties, provided the wound or
116 injury was not self-inflicted, (ii) was required to receive
117 medical treatment for the wound or injury due to the nature and
118 extent of the wound or injury, and (iii) is eligible to receive a
119 special license plate or tag under Section 27-19-56 as a result of



120 such wound or injury, regardless of whether the person obtains
121 such a plate or tag. Application for the exemption provided in
122 this paragraph (w) may be made at the time of initial registration
123 of a vehicle and renewal of registration. In addition, an
124 applicant for the exemption must provide official written
125 documentation that (i) the applicant is a law enforcement officer
126 who was wounded or otherwise received intentional or accidental
127 bodily injury while engaged in the performance of his official
128 duties and that the wound or injury was not self-inflicted along
129 with official written documentation verifying receipt of medical
130 treatment for the wound or injury and the nature and extent of the
131 wound or injury, and (ii) the applicant is eligible to receive a
132 special license plate or tag under Section 27-19-56 as a result of
133 such wound or injury, regardless of whether the person obtains
134 such a plate or tag.

135 (x) One (1) motor vehicle owned by an honorably
136 discharged veteran of the Armed Forces of the United States who
137 served during World War II, and one (1) motor vehicle owned by the
138 unremarried surviving spouse of such veteran, as provided in
139 Section 27-19-56.438.

140 (y) One (1) motor vehicle owned by a state-licensed
141 teacher employed by a public school district situated within a
142 geographical area of the state where there exists a critical
143 shortage of teachers, as designated by the State Board of
144 Education. A state-licensed teacher employed by any other public



145 school district in the state shall receive a fifty percent (50%)
146 discount off the ad valorem tax on one (1) motor vehicle.

147 (3) Any claim for tax exemption by authority of the
148 above-mentioned code sections or by any other legal authority
149 shall be set out in the application for the road and bridge
150 privilege license, and the specific legal authority for such tax
151 exemption claim shall be cited in said application, and such
152 authority cited shall be shown by the tax collector on the tax
153 receipt as his authority for not collecting such ad valorem taxes,
154 and the tax collector shall carry forward such information in his
155 tax collection reports.

156 (4) Any motor vehicle driven over the highways of this state
157 to the extent that the owner of such motor vehicle is required to
158 purchase a road and bridge privilege license in this state, yet
159 the legal situs of such motor vehicle is located in another state,
160 shall be exempt from ad valorem taxes authorized by this chapter.

161 (5) If a taxpayer shall sell, trade or otherwise dispose of
162 a vehicle on which the ad valorem and road and bridge privilege
163 taxes have been paid in any county in the state, he shall remove
164 the license plate from the vehicle. Such license plate must be
165 surrendered to the issuing authority with the corresponding tax
166 receipt, if required, and credit shall be allowed for the taxes
167 paid for the remaining tax year on like privilege or ad valorem
168 taxes due on another vehicle owned by the seller or transferor or
169 by the seller's or transferor's spouse or dependent child. If the



170 seller or transferor does not elect to receive such credit at the
171 time the license plate is surrendered, the issuing authority shall
172 issue a certificate of credit to the seller or transferor, or to
173 the seller's or transferor's spouse or dependent child, or to any
174 other person, business or corporation, at the direction of the
175 seller or transferor, for the remaining unexpired taxes prorated
176 from the first day of the month following the month in which the
177 license plate is surrendered. The total of such credit may be
178 used by the person or entity to whom the certificate of credit is
179 issued, regardless of the relative amounts attributed to privilege
180 taxes or to county, school or municipal ad valorem taxes. Any
181 credit allowed for taxes due or any certificate of credit issued
182 may be applied to like taxes owed in any county by the person to
183 whom the credit is allowed or by the person possessing the
184 certificate of credit. No credit, however, shall be allowed on
185 the charge made for the license plate. Such license plates
186 surrendered to the tax collector shall be retained by him, and in
187 no event shall such license plate be attached to any vehicle after
188 being surrendered to the tax collector, nor shall any license
189 plate be transferred from one (1) vehicle to any other vehicle.

190 (6) If the person owning a vehicle subject to taxation under
191 the provisions of this chapter does not operate such vehicle on
192 the highways of this state from the date of acquisition or, if
193 previously registered, from the end of the anniversary month of
194 the tag and decals to the date on which he makes application for a



195 current license tag or decals, he shall pay such ad valorem tax
196 for a period of twelve (12) months beginning with the first day of
197 the month in which he applies for a current license tag or decals
198 under Chapter 19, Title 27, Mississippi Code of 1972. The owner
199 shall submit an affidavit with an application attesting to the
200 fact that the vehicle was not operated on the highways of this
201 state from the date of acquisition or, if previously registered,
202 from the end of the anniversary month of the tag and decals to the
203 date on which he makes application for the current license tag or
204 decals.

205 (7) Any person found violating any of the provisions of this
206 section shall be arrested and tried, and if found guilty shall be
207 fined in an amount double the total amount of taxes involved.

208 **SECTION 2.** This act shall take effect and be in force from
209 and after January 1, 2019.

