

By: Senator(s) Doty

To: Education; Finance

## SENATE BILL NO. 2661

1 AN ACT TO AMEND SECTION 27-7-22.37, MISSISSIPPI CODE OF 1972,  
2 TO AUTHORIZE THE BOARD OF TRUSTEES OF A SCHOOL DISTRICT TO CERTIFY  
3 EARLY LEARNING COLLABORATIVES AS APPROVED FOR PURPOSES OF THE  
4 INCOME TAX CREDIT FOR QUALIFIED PREKINDERGARTEN PROGRAM SUPPORT  
5 CONTRIBUTIONS PAID TO APPROVED PROVIDERS, LEAD PARTNERS OR  
6 COLLABORATIVES; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 27-7-22.37, Mississippi Code of 1972, is  
9 amended as follows:

10 27-7-22.37. (1) There shall be allowed as a credit against  
11 the tax imposed by Section 27-7-5 the amount of the qualified  
12 prekindergarten program support contributions paid to approved  
13 providers, lead partners or collaboratives, not to exceed One  
14 Million Dollars (\$1,000,000.00), by any individual, corporation or  
15 other entity having taxable income under the laws of this state  
16 during calendar year 2013 or during any calendar year thereafter.  
17 In order to qualify for a tax credit, such contributions may  
18 support the local match requirement of approved providers, lead  
19 partners or collaboratives as is necessary to match  
20 state-appropriated funds, and any such providers, lead partners or



collaboratives shall be approved by the State Department of Education.

(2) Any unused portion of the credit may be carried forward for three (3) tax years.

(3) In addition to any other method of approval, an early learning collaborative may apply to the board of trustees of the school district in which the collaborative is located for certification as an approved collaborative. The board of trustees shall examine the application and determine whether the collaborative meets the criteria specified in Section 37-21-51(1)(d)(i) through (iv). If the board of trustees determines that the collaborative meets the criteria, it may certify the collaborative as an approved collaborative and prekindergarten support contributions paid to the collaborative shall be eligible for the credit as authorized in this section.

( \* \* \*4) Any prekindergarten program support contribution shall be verified by submission to the Mississippi Department of Revenue of a copy of the receipt provided to the donor taxpayer by the prekindergarten program recipient or such other written verification as may be required by the Department of Revenue.

( \* \* \*5) The maximum amount of donations accepted by the Department of Revenue in calendar year 2014 shall not exceed Eight Million Dollars (\$8,000,000.00), in calendar year 2015 shall not exceed Fifteen Million Dollars (\$15,000,000.00), and in calendar year 2016 and calendar years thereafter shall not exceed



46 Thirty-two Million Dollars (\$32,000,000.00), or what is  
47 appropriated by the Legislature to fund Chapter 493, Laws of 2013  
48 each year.

49 ( \* \* \*6) The Mississippi Department of Revenue shall  
50 promulgate rules necessary to effectuate the purposes of Chapter  
51 493, Laws of 2013. Such rules shall include a means of informing  
52 the public of the existence of the prekindergarten support program  
53 and the application process for provider, lead partner and  
54 collaborative candidates.

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

