

By: Senator(s) Doty

To: Finance

SENATE BILL NO. 2365

1 AN ACT TO AMEND SECTION 27-51-103, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT MOTOR VEHICLE AD VALOREM TAX RECEIPTS SHALL NOT
3 SPECIFY ANY PARTICULAR LEGISLATIVE SESSION IN RELATION TO THE TAG
4 CREDIT PROVIDED; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 27-51-103, Mississippi Code of 1972, is
7 amended as follows:

8 27-51-103. (1) From and after January 1, 1995, through June
9 30, 1995, a taxpayer shall be allowed as a credit towards the tax
10 liability imposed by Chapter 51, Title 27, Mississippi Code of
11 1972, on the amount of ad valorem taxes due during the taxable
12 year on any private carrier of passengers and light carrier of
13 property owned by him, an amount equal to five percent (5%) of the
14 assessed value of the motor vehicle.

15 (2) From and after July 1, 1995, a taxpayer shall be allowed
16 as a credit against motor vehicle ad valorem taxes due under
17 Chapter 51, Title 27, Mississippi Code of 1972, on any private
18 carrier of passengers and light carrier of property owned by him,
19 an amount as provided for in subsection (3) of this section.



20 (3) (a) Except as otherwise provided in paragraph (b) of
21 this subsection, from and after July 1, 1995, the amount of the
22 credit that a taxpayer shall be allowed against motor vehicle ad
23 valorem taxes due under Chapter 51, Title 27, Mississippi Code of
24 1972, shall be determined by the State Tax Commission for each
25 fiscal year. The amount of the credit shall be promulgated by the
26 commission on or before May 1 prior to each state fiscal year
27 beginning with the state fiscal year beginning on July 1, 1995.
28 In developing the credit, the commission shall establish credit
29 amounts that provide for an equal percentage of dollar credit
30 amounts for private carriers of passengers and light carriers of
31 property in proportion to their assessed value, based on the
32 projected amount of funds in the Motor Vehicle Ad Valorem Tax
33 Reduction Fund that will be available for distribution in such
34 state fiscal year. The commission may calculate the credit in
35 such a manner so as to have surplus funds available in the Motor
36 Vehicle Ad Valorem Tax Reduction Fund for cash_flow needs and
37 monthly shortfalls that might be incurred as a result of
38 unexpected revenue fluctuations; however, in the calculation of
39 the credit in order to make such surplus funds available, the
40 commission shall attempt to create a balance in the Motor Vehicle
41 Ad Valorem Tax Reduction Fund that does not exceed, at the end of
42 any state fiscal year, five percent (5%) of the projected amount
43 of funds that will be available in the Motor Vehicle Ad Valorem
44 Tax Reduction Fund for distribution during such state fiscal year.



45 (b) From and after July 1, 2009, through June 30, 2010,
46 a taxpayer shall be allowed as a credit towards the tax liability
47 imposed by Chapter 51, Title 27, Mississippi Code of 1972, on the
48 amount of ad valorem taxes due during the taxable year on any
49 private carrier of passengers and light carrier of property owned
50 by him, an amount equal to four and twenty-five one-hundredths
51 percent (4.25%) of the assessed value of the motor vehicle.

52 (4) Tax credits provided for by this section may be used
53 against motor vehicle ad valorem taxes due under Chapter 51, Title
54 27, Mississippi Code of 1972, at the time that a taxpayer pays
55 motor vehicle ad valorem taxes to the county tax collector.

56 (5) Each receipt for motor vehicle ad valorem taxes shall
57 clearly indicate that the credit provided for by this section is
58 granted as a result of legislative action but shall not specify
59 any particular legislative session.

60 (6) A taxpayer who is delinquent in the payment of motor
61 vehicle ad valorem taxes to the extent that the penalty assessed
62 pursuant to Section 27-51-43, Mississippi Code of 1972, has
63 reached twenty-five percent (25%) of the ad valorem taxes due
64 shall not be eligible to receive the tax credit authorized
65 pursuant to this section.

66 **SECTION 2.** This act shall take effect and be in force from
67 and after July 1, 2020.

