

By: Senator(s) Thompson, Jackson (32nd),  
Jordan, Simmons (13th)

To: Accountability,  
Efficiency, Transparency

SENATE BILL NO. 2820  
(As Passed the Senate)

1       AN ACT TO CREATE THE "MISSISSIPPI TOURISM REORGANIZATION  
2 ACT"; TO CREATE THE MISSISSIPPI DEPARTMENT OF TOURISM; TO REQUIRE  
3 THE GOVERNOR TO APPOINT, WITH THE ADVICE AND CONSENT OF THE  
4 SENATE, AN EXECUTIVE DIRECTOR OF THE DEPARTMENT OF TOURISM; TO  
5 PRESCRIBE THE GENERAL POWERS AND DUTIES OF THE DEPARTMENT OF  
6 TOURISM AND THE EXECUTIVE DIRECTOR; TO AUTHORIZE THE DEPARTMENT OF  
7 TOURISM TO ESTABLISH A PROGRAM OF GRANTS TO BE MATCHED BY TOURISM  
8 ENTITIES IN THE STATE; TO AUTHORIZE THE DEPARTMENT OF TOURISM TO  
9 SELL ADVERTISING AND OTHER TOURISM PROMOTIONAL INFORMATION AND TO  
10 CREATE THE MISSISSIPPI DEPARTMENT OF TOURISM ADVERTISING FUND; TO  
11 CREATE THE MISSISSIPPI TOURISM ASSOCIATION MARKETING ADVISORY  
12 BOARD TO ASSIST THE DEPARTMENT OF TOURISM; TO AMEND SECTION  
13 27-65-75, MISSISSIPPI CODE OF 1972, TO DIVERT A PORTION OF SALES  
14 TAX REVENUE COLLECTED FROM RESTAURANTS AND HOTELS INTO THE  
15 DEPARTMENT OF TOURISM ADVERTISING FUND INSTEAD OF THE MISSISSIPPI  
16 DEVELOPMENT AUTHORITY TOURISM FUND; TO REPEAL SECTION 57-1-59,  
17 MISSISSIPPI CODE OF 1972, WHICH PROVIDES GENERAL POWERS AND DUTIES  
18 OF THE MISSISSIPPI DEVELOPMENT AUTHORITY WITH RESPECT TO TOURISM;  
19 TO REPEAL SECTION 57-1-60, MISSISSIPPI CODE OF 1972, WHICH  
20 AUTHORIZES THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO  
21 ESTABLISH A PROGRAM OF GRANTS TO FINANCE, PROMOTE AND ADVERTISE  
22 LOCAL TOURIST ATTRACTIONS; TO REPEAL SECTION 57-1-61, MISSISSIPPI  
23 CODE OF 1972, WHICH PROVIDES FOR THE TRANSFER OF FUNCTIONS OF THE  
24 TRAVEL AND TOURISM DIVISION OF THE AGRICULTURAL AND INDUSTRIAL  
25 BOARD TO THE DEPARTMENT OF ECONOMIC DEVELOPMENT; TO REPEAL SECTION  
26 57-1-63, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE TRANSFER  
27 OF POWERS AND DUTIES OF STATE AGENCIES RELATING TO TOURISM TO THE  
28 MISSISSIPPI DEVELOPMENT AUTHORITY; TO REPEAL SECTION 57-1-64,  
29 MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE MISSISSIPPI  
30 DEVELOPMENT AUTHORITY TO SELL ADVERTISING AND OTHER TOURISM  
31 INFORMATION AND CREATES THE MISSISSIPPI DEVELOPMENT AUTHORITY  
32 TOURISM ADVERTISING FUND; TO REPEAL SECTION 57-1-64.1, MISSISSIPPI  
33 CODE OF 1972, WHICH CREATES THE MISSISSIPPI TOURISM ASSOCIATION



MARKETING ADVISORY BOARD TO ASSIST THE MISSISSIPPI DEVELOPMENT  
AUTHORITY; AND FOR RELATED PURPOSES.

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

**SECTION 1.** Sections 1 through 8 of this act shall be known  
and may be cited as the "Mississippi Tourism Reorganization Act."

**SECTION 2.** (1) There is hereby created the Mississippi  
Department of Tourism.

(2) The department shall be responsible for the promotion,  
development, and support services for the tourism industry within  
the state.

(3) All of the powers, duties, property, contractual rights  
and obligations of the Tourism Division of the Mississippi  
Development Authority shall be transferred to the Mississippi  
Department of Tourism on July 1, 2021. The transfer of personnel  
shall be commensurate with the number and classification of  
positions allocated to that division. The transfer shall also  
include direct support, clerical, data processing and  
communications positions allocated to that division.

**SECTION 3.** The Governor shall appoint an Executive Director  
of the Department of Tourism with the advice and consent of the  
Senate and in accordance with standards established by the State  
Personnel Board. The executive director shall serve at the will  
and pleasure of the Governor. The salary of the executive  
director shall be set by the Governor, subject to the approval of  
the State Personnel Board, and shall be provided for out of any  
funds made available for such purpose by the Legislature, the



60 federal government or other gifts or grants. The executive  
61 director shall be responsible to the Governor for the proper  
62 administration of the programs of tourism provided under this act  
63 in conformity with the policies adopted by the Governor and shall  
64 be responsible for appointing directors of offices and any  
65 necessary supervisors, assistants and employees. The salary and  
66 compensation of such employees shall be subject to the rules and  
67 regulations adopted and promulgated by the State Personnel Board  
68 as created under Section 25-9-101 et seq. The executive director  
69 shall be the State Tourism Director with such authority and  
70 responsibility as is prescribed by law.

71 **SECTION 4.** The Department of Tourism shall provide the  
72 tourism services authorized by law, and in carrying out the  
73 purposes of Sections 1 through 8 of this act, the department is  
74 authorized:

75 (a) To expend funds received either by appropriation or  
76 directly from federal or private sources;

77 (b) To develop and implement a comprehensive strategy  
78 for branding, advertising, promotion, and development of the  
79 state's diverse tourism product;

80 (c) To use best practices for developing and  
81 coordinating marketing efforts, including data-driven and  
82 trackable marketing and advertising strategies;

83 (d) To promote Mississippi state parks and other  
84 outdoors and natural resources of the state;



(e) To develop individual plans and marketing strategies for each of the state's five (5) distinct regions based on their individual offerings, markets, and growth opportunities;

(f) To coordinate with local tourism destination marketing organizations to most effectively and efficiently market their regions and tourism offerings to appropriate target markets;

(g) To support destination development and management around the state, including strengthening the state's tourism portfolio of museums, trails, wildlife and natural areas, state parks, culinary meeting venues, offerings, civil rights, music, beaches, casinos and attractions;

(h) To coordinate with all agencies of state government the necessary promotional and advertising materials needed to promote all facilities and programs which may be of interest to travelers and tourists;

(i) To maintain an educational awareness program for the citizens of the state to constantly encourage increased development of activities of interest to tourists and the traveling public;

(j) To develop and maintain an information services system to adequately guide tourists and the traveling public within the boundaries of the state;

(k) To enter into contracts and other agreements with local tourism commissions or similar entities for the purpose of developing regional strategies for tourism promotion. The



Department of Tourism, in conjunction with the formulation of regional strategies for tourism promotion, may require that local tourism commissions or similar entities enter into agreements with the authority as a condition for receiving any state grants to promote tourism; and

(1) To develop programs and projects promoting the state's heritage, history, culture, literature and arts, including the positive recovery of the state after damages caused by natural disasters, and demonstrating the state's attractiveness as a tourism destination for those and other reasons.

**SECTION 5.** In carrying out his duties under Sections 1 through 8 of this act, the Executive Director of the Department of Tourism:

(a) Shall establish appropriate subordinate administrative units within the department;

(b) Shall prepare and submit to the Governor and the Legislature annual reports of activities and expenditures and, before each regular session of the Legislature, coordinate budget requests required for carrying out Sections 1 through 8 of this act and estimates of the amounts to be made available for this purpose from all sources;

(c) Shall be empowered to exercise executive and administrative supervision over all offices, programs and services now existing or hereafter acquired or created under the jurisdiction of the department;



(d) Shall take such other action as he deems necessary or appropriate to effectuate the purposes of Sections 1 through 8 of this act;

(e) May delegate to any officer or employee of the department such of his powers and duties as he finds necessary to effectuate the purposes of Sections 1 through 8 of this act.

**SECTION 6.** The Department of Tourism, in its discretion, may establish a program of grants to be matched by tourism entities in the state to finance, promote and advertise local tourist attractions. Monies committed to the program of grants shall not lapse into the State General Fund at the end of a fiscal year. Any program of grants established under this section shall be in addition to those grants authorized by Title 57, Chapter 27, Mississippi Code of 1972.

**SECTION 7.** (1) The Department of Tourism is authorized to sell advertising and other tourism promotional information through the Department of Tourism internet website and other marketing outlets, and to enter into agreements with tourism associations and similar entities for the purpose of making and facilitating sales through the use of such entities. Revenues received from such sales shall be placed into the special fund created in subsection (2) of this section.

(2) There is created a special fund in the State Treasury to be known as the Department of Tourism Advertising Fund which shall consist of monies from any source designated for deposit into the



fund. Any unexpended amounts remaining on June 30, 2021, in the Mississippi Development Authority Tourism Advertising Fund established in Section 57-1-64 shall be transferred and deposited into the fund. Monies in the fund may be used by the Department of Tourism for the purpose of paying costs incurred in connection with the purchase of advertising, marketing, promotional information and materials, and other services related to Mississippi tourism resources and activities. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund.

(3) The Department of Tourism shall have all powers necessary to implement and administer the provisions of this section.

**SECTION 8.** (1) There is hereby created a Mississippi Tourism Association Marketing Advisory Board to assist the Mississippi Development Authority in the planning of initiatives for advertising and promoting tourism in Mississippi.

(2) The advisory board shall be composed of the following members:

(a) The Executive Director of the Mississippi Tourism Association;

(b) The members of the Mississippi Tourism Association Board of Directors, composed through the bylaws of the Mississippi



Tourism Association as being geographically and ethnically diverse members from the five (5) tourism regions designated as the Hills, the Delta, the Capital/River, the Pines and the Coastal regions of Mississippi, and three (3) at-large members;

(c) Three (3) at-large members appointed by the Governor;

(d) One (1) at-large member appointed by the Lieutenant Governor; and

(e) One (1) at-large member appointed by the Speaker of the House of Representatives.

(3) Members of the advisory board may not be compensated for the performance of their duties.

(4) The advisory board will give input and advice to the Mississippi Development Authority's Tourism Division on marketing and advertising planning, but shall have no executive powers at the Mississippi Development Authority.

(5) For marketing activities paid for with federal funds related to the COVID-19 public health emergency and carried out by either the Mississippi Development Authority's Tourism Division or destination marketing organizations, the advisory board will give input on appropriate branding and messaging that communicates pertinent public health information.

**SECTION 9.** Section 27-65-75, Mississippi Code of 1972, is amended as follows:



209           27-65-75. On or before the fifteenth day of each month, the  
210 revenue collected under the provisions of this chapter during the  
211 preceding month shall be paid and distributed as follows:

212           (1) (a) On or before August 15, 1992, and each succeeding  
213 month thereafter through July 15, 1993, eighteen percent (18%) of  
214 the total sales tax revenue collected during the preceding month  
215 under the provisions of this chapter, except that collected under  
216 the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on  
217 business activities within a municipal corporation shall be  
218 allocated for distribution to the municipality and paid to the  
219 municipal corporation. Except as otherwise provided in this  
220 paragraph (a), on or before August 15, 1993, and each succeeding  
221 month thereafter, eighteen and one-half percent (18-1/2%) of the  
222 total sales tax revenue collected during the preceding month under  
223 the provisions of this chapter, except that collected under the  
224 provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and  
225 27-65-24, on business activities within a municipal corporation  
226 shall be allocated for distribution to the municipality and paid  
227 to the municipal corporation. However, in the event the State  
228 Auditor issues a certificate of noncompliance pursuant to Section  
229 21-35-31, the Department of Revenue shall withhold ten percent  
230 (10%) of the allocations and payments to the municipality that  
231 would otherwise be payable to the municipality under this  
232 paragraph (a) until such time that the department receives written



notice of the cancellation of a certificate of noncompliance from the State Auditor.

A municipal corporation, for the purpose of distributing the tax under this subsection, shall mean and include all incorporated cities, towns and villages.

Monies allocated for distribution and credited to a municipal corporation under this paragraph may be pledged as security for a loan if the distribution received by the municipal corporation is otherwise authorized or required by law to be pledged as security for such a loan.

In any county having a county seat that is not an incorporated municipality, the distribution provided under this subsection shall be made as though the county seat was an incorporated municipality; however, the distribution to the municipality shall be paid to the county treasury in which the municipality is located, and those funds shall be used for road, bridge and street construction or maintenance in the county.

(b) On or before August 15, 2006, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be



allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college.

(c) On or before August 15, 2018, and each succeeding month thereafter until August 14, 2019, two percent (2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2019, and each succeeding month thereafter until August 14, 2020, four percent (4%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2020, and each succeeding month thereafter, six percent (6%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of



the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215.

(d) (i) On or before the fifteenth day of the month that the diversion authorized by this section begins, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a redevelopment project area developed under a redevelopment plan adopted under the Tax Increment Financing Act (Section 21-45-1 et seq.) shall be allocated for distribution to the county in which the project area is located if:

1. The county borders on the Mississippi Sound and the State of Alabama;

2. The county has issued bonds under Section 21-45-9 to finance all or a portion of a redevelopment project in the redevelopment project area;

3. Any debt service for the indebtedness incurred is outstanding; and

4. A development with a value of Ten Million Dollars (\$10,000,000.00) or more is, or will be, located in the redevelopment area.



307 (ii) Before any sales tax revenue may be allocated  
308 for distribution to a county under this paragraph, the county  
309 shall certify to the Department of Revenue that the requirements  
310 of this paragraph have been met, the amount of bonded indebtedness  
311 that has been incurred by the county for the redevelopment project  
312 and the expected date the indebtedness incurred by the county will  
313 be satisfied.

314 (iii) The diversion of sales tax revenue  
315 authorized by this paragraph shall begin the month following the  
316 month in which the Department of Revenue determines that the  
317 requirements of this paragraph have been met. The diversion shall  
318 end the month the indebtedness incurred by the county is  
319 satisfied. All revenue received by the county under this  
320 paragraph shall be deposited in the fund required to be created in  
321 the tax increment financing plan under Section 21-45-11 and be  
322 utilized solely to satisfy the indebtedness incurred by the  
323 county.

324 (2) On or before September 15, 1987, and each succeeding  
325 month thereafter, from the revenue collected under this chapter  
326 during the preceding month, One Million One Hundred Twenty-five  
327 Thousand Dollars (\$1,125,000.00) shall be allocated for  
328 distribution to municipal corporations as defined under subsection  
329 (1) of this section in the proportion that the number of gallons  
330 of gasoline and diesel fuel sold by distributors to consumers and  
331 retailers in each such municipality during the preceding fiscal



332 year bears to the total gallons of gasoline and diesel fuel sold  
333 by distributors to consumers and retailers in municipalities  
334 statewide during the preceding fiscal year. The Department of  
335 Revenue shall require all distributors of gasoline and diesel fuel  
336 to report to the department monthly the total number of gallons of  
337 gasoline and diesel fuel sold by them to consumers and retailers  
338 in each municipality during the preceding month. The Department  
339 of Revenue shall have the authority to promulgate such rules and  
340 regulations as is necessary to determine the number of gallons of  
341 gasoline and diesel fuel sold by distributors to consumers and  
342 retailers in each municipality. In determining the percentage  
343 allocation of funds under this subsection for the fiscal year  
344 beginning July 1, 1987, and ending June 30, 1988, the Department  
345 of Revenue may consider gallons of gasoline and diesel fuel sold  
346 for a period of less than one (1) fiscal year. For the purposes  
347 of this subsection, the term "fiscal year" means the fiscal year  
348 beginning July 1 of a year.

349 (3) On or before September 15, 1987, and on or before the  
350 fifteenth day of each succeeding month, until the date specified  
351 in Section 65-39-35, the proceeds derived from contractors' taxes  
352 levied under Section 27-65-21 on contracts for the construction or  
353 reconstruction of highways designated under the highway program  
354 created under Section 65-3-97 shall, except as otherwise provided  
355 in Section 31-17-127, be deposited into the State Treasury to the  
356 credit of the State Highway Fund to be used to fund that highway



357 program. The Mississippi Department of Transportation shall  
358 provide to the Department of Revenue such information as is  
359 necessary to determine the amount of proceeds to be distributed  
360 under this subsection.

361 (4) On or before August 15, 1994, and on or before the  
362 fifteenth day of each succeeding month through July 15, 1999, from  
363 the proceeds of gasoline, diesel fuel or kerosene taxes as  
364 provided in Section 27-5-101(a)(ii)1, Four Million Dollars  
365 (\$4,000,000.00) shall be deposited in the State Treasury to the  
366 credit of a special fund designated as the "State Aid Road Fund,"  
367 created by Section 65-9-17. On or before August 15, 1999, and on  
368 or before the fifteenth day of each succeeding month, from the  
369 total amount of the proceeds of gasoline, diesel fuel or kerosene  
370 taxes apportioned by Section 27-5-101(a)(ii)1, Four Million  
371 Dollars (\$4,000,000.00) or an amount equal to twenty-three and  
372 one-fourth percent (23-1/4%) of those funds, whichever is the  
373 greater amount, shall be deposited in the State Treasury to the  
374 credit of the "State Aid Road Fund," created by Section 65-9-17.  
375 Those funds shall be pledged to pay the principal of and interest  
376 on state aid road bonds heretofore issued under Sections 19-9-51  
377 through 19-9-77, in lieu of and in substitution for the funds  
378 previously allocated to counties under this section. Those funds  
379 may not be pledged for the payment of any state aid road bonds  
380 issued after April 1, 1981; however, this prohibition against the  
381 pledging of any such funds for the payment of bonds shall not



382 apply to any bonds for which intent to issue those bonds has been  
383 published for the first time, as provided by law before March 29,  
384 1981. From the amount of taxes paid into the special fund under  
385 this subsection and subsection (9) of this section, there shall be  
386 first deducted and paid the amount necessary to pay the expenses  
387 of the Office of State Aid Road Construction, as authorized by the  
388 Legislature for all other general and special fund agencies. The  
389 remainder of the fund shall be allocated monthly to the several  
390 counties in accordance with the following formula:

391 (a) One-third (1/3) shall be allocated to all counties  
392 in equal shares;

393 (b) One-third (1/3) shall be allocated to counties  
394 based on the proportion that the total number of rural road miles  
395 in a county bears to the total number of rural road miles in all  
396 counties of the state; and

397 (c) One-third (1/3) shall be allocated to counties  
398 based on the proportion that the rural population of the county  
399 bears to the total rural population in all counties of the state,  
400 according to the latest federal decennial census.

401 For the purposes of this subsection, the term "gasoline,  
402 diesel fuel or kerosene taxes" means such taxes as defined in  
403 paragraph (f) of Section 27-5-101.

404 The amount of funds allocated to any county under this  
405 subsection for any fiscal year after fiscal year 1994 shall not be  
406 less than the amount allocated to the county for fiscal year 1994.



Any reference in the general laws of this state or the Mississippi Code of 1972 to Section 27-5-105 shall mean and be construed to refer and apply to subsection (4) of Section 27-65-75.

(5) One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars (\$1,666,666.00) each month shall be paid into the special fund known as the "State Public School Building Fund" created and existing under the provisions of Sections 37-47-1 through 37-47-67. Those payments into that fund are to be made on the last day of each succeeding month hereafter.

(6) An amount each month beginning August 15, 1983, through November 15, 1986, as specified in Section 6, Chapter 542, Laws of 1983, shall be paid into the special fund known as the Correctional Facilities Construction Fund created in Section 6, Chapter 542, Laws of 1983.

(7) On or before August 15, 1992, and each succeeding month thereafter through July 15, 2000, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited by the department into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35. On or before August 15, 2000, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month



under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33.

(8) On or before August 15, 1992, and each succeeding month thereafter, nine and seventy-three one-thousandths percent (9.073%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the Education Enhancement Fund created under Section 37-61-33.

(9) On or before August 15, 1994, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be paid into the State Aid Road Fund.

(10) On or before August 15, 1994, and each succeeding month thereafter through August 15, 1995, from the revenue collected



under this chapter during the preceding month, Two Million Dollars (\$2,000,000.00) shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(11) Notwithstanding any other provision of this section to the contrary, on or before February 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(2) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(12) Notwithstanding any other provision of this section to the contrary, on or before August 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1) on retail sales of private carriers of passengers and light carriers of property, as defined in Section 27-51-101 and the corresponding levy in Section 27-65-23 on the rental or lease of these vehicles, shall be deposited, after diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(13) On or before July 15, 1994, and on or before the fifteenth day of each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-22 that is derived from activities held on the Mississippi State Fairgrounds Complex



shall be paid into a special fund that is created in the State Treasury and shall be expended upon legislative appropriation solely to defray the costs of repairs and renovation at the Trade Mart and Coliseum.

(14) On or before August 15, 1998, and each succeeding month thereafter through July 15, 2005, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39. On or before August 15, 2007, and each succeeding month thereafter through July 15, 2010, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39 until all debts or other obligations incurred by the Certified Cotton Growers Organization under the Mississippi Boll Weevil Management Act before January 1, 2007, are satisfied in full. On or before August 15, 2010, and each succeeding month thereafter through July 15, 2011, fifty percent (50%) of that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be



507 deposited into the special fund created under Section 69-37-39  
508 until such time that the total amount deposited into the fund  
509 during a fiscal year equals One Million Dollars (\$1,000,000.00).  
510 On or before August 15, 2011, and each succeeding month  
511 thereafter, that portion of the avails of the tax imposed in  
512 Section 27-65-23 that is derived from sales by cotton compresses  
513 or cotton warehouses and that would otherwise be paid into the  
514 General Fund shall be deposited into the special fund created  
515 under Section 69-37-39 until such time that the total amount  
516 deposited into the fund during a fiscal year equals One Million  
517 Dollars (\$1,000,000.00).

518 (15) Notwithstanding any other provision of this section to  
519 the contrary, on or before September 15, 2000, and each succeeding  
520 month thereafter, the sales tax revenue collected during the  
521 preceding month under the provisions of Section  
522 27-65-19(1)(d)(i)2, and 27-65-19(1)(d)(i)3 shall be deposited,  
523 without diversion, into the Telecommunications Ad Valorem Tax  
524 Reduction Fund established in Section 27-38-7.

525 (16) (a) On or before August 15, 2000, and each succeeding  
526 month thereafter, the sales tax revenue collected during the  
527 preceding month under the provisions of this chapter on the gross  
528 proceeds of sales of a project as defined in Section 57-30-1 shall  
529 be deposited, after all diversions except the diversion provided  
530 for in subsection (1) of this section, into the Sales Tax  
531 Incentive Fund created in Section 57-30-3.



532           (b) On or before August 15, 2007, and each succeeding  
533 month thereafter, eighty percent (80%) of the sales tax revenue  
534 collected during the preceding month under the provisions of this  
535 chapter from the operation of a tourism project under the  
536 provisions of Sections 57-26-1 through 57-26-5, shall be  
537 deposited, after the diversions required in subsections (7) and  
538 (8) of this section, into the Tourism Project Sales Tax Incentive  
539 Fund created in Section 57-26-3.

540           (17) Notwithstanding any other provision of this section to  
541 the contrary, on or before April 15, 2002, and each succeeding  
542 month thereafter, the sales tax revenue collected during the  
543 preceding month under Section 27-65-23 on sales of parking  
544 services of parking garages and lots at airports shall be  
545 deposited, without diversion, into the special fund created under  
546 Section 27-5-101(d).

547           (18) [Repealed]

548           (19) (a) On or before August 15, 2005, and each succeeding  
549 month thereafter, the sales tax revenue collected during the  
550 preceding month under the provisions of this chapter on the gross  
551 proceeds of sales of a business enterprise located within a  
552 redevelopment project area under the provisions of Sections  
553 57-91-1 through 57-91-11, and the revenue collected on the gross  
554 proceeds of sales from sales made to a business enterprise located  
555 in a redevelopment project area under the provisions of Sections  
556 57-91-1 through 57-91-11 (provided that such sales made to a



business enterprise are made on the premises of the business enterprise), shall, except as otherwise provided in this subsection (19), be deposited, after all diversions, into the Redevelopment Project Incentive Fund as created in Section 57-91-9.

(b) For a municipality participating in the Economic Redevelopment Act created in Sections 57-91-1 through 57-91-11, the diversion provided for in subsection (1) of this section attributable to the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and attributable to the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall be deposited into the Redevelopment Project Incentive Fund as created in Section 57-91-9, as follows:

(i) For the first six (6) years in which payments are made to a developer from the Redevelopment Project Incentive Fund, one hundred percent (100%) of the diversion shall be deposited into the fund;

(ii) For the seventh year in which such payments are made to a developer from the Redevelopment Project Incentive



581 Fund, eighty percent (80%) of the diversion shall be deposited  
582 into the fund;

583 (iii) For the eighth year in which such payments  
584 are made to a developer from the Redevelopment Project Incentive  
585 Fund, seventy percent (70%) of the diversion shall be deposited  
586 into the fund;

587 (iv) For the ninth year in which such payments are  
588 made to a developer from the Redevelopment Project Incentive Fund,  
589 sixty percent (60%) of the diversion shall be deposited into the  
590 fund; and

591 (v) For the tenth year in which such payments are  
592 made to a developer from the Redevelopment Project Incentive Fund,  
593 fifty percent (50%) of the funds shall be deposited into the fund.

594 (20) On or before January 15, 2007, and each succeeding  
595 month thereafter, eighty percent (80%) of the sales tax revenue  
596 collected during the preceding month under the provisions of this  
597 chapter from the operation of a tourism project under the  
598 provisions of Sections 57-28-1 through 57-28-5 shall be deposited,  
599 after the diversions required in subsections (7) and (8) of this  
600 section, into the Tourism Sales Tax Incentive Fund created in  
601 Section 57-28-3.

602 (21) (a) On or before April 15, 2007, and each succeeding  
603 month thereafter through June 15, 2013, One Hundred Fifty Thousand  
604 Dollars (\$150,000.00) of the sales tax revenue collected during  
605 the preceding month under the provisions of this chapter shall be



606 deposited into the MMEIA Tax Incentive Fund created in Section  
607 57-101-3.

608 (b) On or before July 15, 2013, and each succeeding  
609 month thereafter, One Hundred Fifty Thousand Dollars (\$150,000.00)  
610 of the sales tax revenue collected during the preceding month  
611 under the provisions of this chapter shall be deposited into the  
612 Mississippi Development Authority Job Training Grant Fund created  
613 in Section 57-1-451.

614 (22) Notwithstanding any other provision of this section to  
615 the contrary, on or before August 15, 2009, and each succeeding  
616 month thereafter, the sales tax revenue collected during the  
617 preceding month under the provisions of Section 27-65-201 shall be  
618 deposited, without diversion, into the Motor Vehicle Ad Valorem  
619 Tax Reduction Fund established in Section 27-51-105.

620 (23) (a) On or before August 15, 2019, and each month  
621 thereafter through July 15, 2020, one percent (1%) of the total  
622 sales tax revenue collected during the preceding month from  
623 restaurants and hotels shall be allocated for distribution to the  
624 Mississippi \* \* \* Department of Tourism Advertising Fund  
625 established under Section \* \* \* 7 of this act, to be used  
626 exclusively for the purpose stated therein. On or before August  
627 15, 2020, and each month thereafter through July 15, 2021, two  
628 percent (2%) of the total sales tax revenue collected during the  
629 preceding month from restaurants and hotels shall be allocated for  
630 distribution to the Mississippi \* \* \* Department of Tourism



Advertising Fund established under Section \* \* \* 7 of this act, to be used exclusively for the purpose stated therein. On or before August 15, 2021, and each month thereafter, three percent (3%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi \* \* \* Department of Tourism Advertising Fund established under Section \* \* \* 7 of this act, to be used exclusively for the purpose stated therein. The revenue diverted pursuant to this subsection shall not be available for expenditure until February 1, 2020.

(b) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) must provide an annual report to the Legislature indicating the amount of funds deposited into the Mississippi \* \* \* Department of Tourism Advertising Fund established under Section \* \* \* 7 of this act, and a detailed record of how the funds are spent.

(24) The remainder of the amounts collected under the provisions of this chapter shall be paid into the State Treasury to the credit of the General Fund.

(25) (a) It shall be the duty of the municipal officials of any municipality that expands its limits, or of any community that incorporates as a municipality, to notify the commissioner of that action thirty (30) days before the effective date. Failure to so notify the commissioner shall cause the municipality to forfeit the revenue that it would have been entitled to receive during



656 this period of time when the commissioner had no knowledge of the  
657 action.

658           (b) (i) Except as otherwise provided in subparagraph  
659 (ii) of this paragraph, if any funds have been erroneously  
660 disbursed to any municipality or any overpayment of tax is  
661 recovered by the taxpayer, the commissioner may make correction  
662 and adjust the error or overpayment with the municipality by  
663 withholding the necessary funds from any later payment to be made  
664 to the municipality.

665           (ii) Subject to the provisions of Sections  
666 27-65-51 and 27-65-53, if any funds have been erroneously  
667 disbursed to a municipality under subsection (1) of this section  
668 for a period of three (3) years or more, the maximum amount that  
669 may be recovered or withheld from the municipality is the total  
670 amount of funds erroneously disbursed for a period of three (3)  
671 years beginning with the date of the first erroneous disbursement.  
672 However, if during such period, a municipality provides written  
673 notice to the Department of Revenue indicating the erroneous  
674 disbursement of funds, then the maximum amount that may be  
675 recovered or withheld from the municipality is the total amount of  
676 funds erroneously disbursed for a period of one (1) year beginning  
677 with the date of the first erroneous disbursement.

678       **SECTION 10.** Section 57-1-59, Mississippi Code of 1972, which  
679 provides for the general powers and duties of the Mississippi  
680 Development Authority with respect to tourism, is repealed.



681           **SECTION 11.** Section 57-1-60, Mississippi Code of 1972, which  
682 authorizes the Department of Economic and Community Development to  
683 establish a program of grants to be matched by tourism entities in  
684 the state, is repealed.

685           **SECTION 12.** Section 57-1-61, Mississippi Code of 1972, which  
686 provide for the transfer of functions of travel and tourism from  
687 the Department of the Agricultural and Industrial Board, is  
688 repealed.

689           **SECTION 13.** Section 57-1-63, Mississippi Code of 1972, which  
690 provide for the transfer of powers and duties of state agencies  
691 relating to tourism to the Mississippi Development Authority, is  
692 repealed.

693           **SECTION 14.** Section 57-1-64, Mississippi Code of 1972, which  
694 authorizes the Mississippi Development Authority to sell  
695 advertising and other tourism promotional information and creates  
696 the Mississippi Development Authority Tourism Advertising Fund, is  
697 repealed.

698           **SECTION 15.** Section 57-1-64.1, Mississippi Code of 1972,  
699 which creates the Mississippi Tourism Association Marketing  
700 Advisory Board to assist the Mississippi Development Authority, is  
701 repealed.

702           **SECTION 16.** This act shall take effect and be in force from  
703 and after July 1, 2021.

