

**Adopted
AMENDMENT NO 1 PROPOSED TO**

Cmte Sub for Senate Bill No. 2765

BY: Senator(s) Blackwell

1 **AMEND on lines 809 and 810 by striking "One Hundred Thousand**
2 **Dollars "(\$100,000.00)" and inserting in lieu thereof the**
3 **following:**

4 Fifteen Thousand Dollars (\$15,000.00)

5 **FURTHER, AMEND on lines 811 and 812 by striking "Twenty**
6 **Thousand Dollars "(\$20,000.00)" and inserting in lieu thereof the**
7 **following:**

8 Five Thousand Dollars (\$5,000.00)

9 **FURTHER, AMEND on lines 813 and 814 by striking "One Hundred**
10 **Thousand Dollars "(\$100,000.00)" and inserting in lieu thereof the**
11 **following:**

12 Eight Thousand Dollars (\$8,000.00)

13 **FURTHER, AMEND on lines 815 and 816 by striking "Ten Thousand**
14 **Dollars "(\$10,000.00)" and inserting in lieu thereof the**
15 **following:**



16 Two Thousand Five Hundred Dollars (\$2,500.00)

17 **FURTHER, AMEND by striking lines 893 through 899 and**
18 **renumbering subsequent subparagraphs accordingly.**

19 **FURTHER, AMEND on line 931 by striking "Fifteen Thousand**
20 **Dollars "(\$15,000.00)" and inserting in lieu thereof the**
21 **following:**

22 Five Thousand Dollars (\$5,000.00)

23 **FURTHER, AMEND on line 932 by striking "Five Thousand Dollars**
24 **"(\$5,000.00)" and inserting in lieu thereof the following:**

25 Three Thousand Dollars (\$3,000.00)

26 **FURTHER, AMEND on line 939 by adding the following after the**
27 **period:**

28 The research facility at the University of Mississippi shall be
29 exempt from all fees imposed under this subsection.

30 **FURTHER, AMEND on lines 949 and 950 by striking "two thousand**
31 **(2,000)" and inserting in lieu thereof the following:**

32 one thousand five hundred (1,500)

33 **FURTHER, AMEND on line 980 by striking "a special privilege"**
34 **and inserting "an excise" in lieu thereof.**

35 **FURTHER, AMEND on lines 980 and 982 by striking "from the**
36 **gross receipts or gross proceeds derived from each sale" and**
37 **inserting "of the list price" in lieu thereof.**

38 **FURTHER, AMEND on line 983 by striking "special privilege"**
39 **and inserting "sales" in lieu thereof.**

40 **FURTHER, AMEND on lines 984, 1356 and 1372 by striking "ten**
41 **percent (10%)" and inserting "seven percent (7%)" in lieu thereof.**



42 **FURTHER, AMEND on line 1072 by inserting after the word**
43 **"each" the following:**

44 , where relevant to the role of that particular agency,

45 **FURTHER, AMEND by inserting the following language below line**
46 **1189 and renumbering subsequent sections accordingly:**

47 **SECTION *.** **Public registry.** (1) MDAC and the Department of
48 Revenue shall jointly create and maintain a public registry of
49 medical cannabis establishments, which shall include, but shall
50 not be limited to, the following information:

51 (a) The name of the establishment;

52 (b) The owner and, if applicable, the beneficial owner
53 of the establishment;

54 (c) The physical address, including city and zip code,
55 of the establishment;

56 (d) The mailing address, including city and zip code,
57 of the establishment;

58 (e) The county in which the establishment is domiciled;

59 (f) The phone number of the establishment;

60 (g) The electronic mail address of the establishment;

61 (h) The license number of the establishment;

62 (i) The issuance date of the establishment's license;

63 (j) The expiration date of the establishment's license;

64 (k) The NAICS code of the establishment;

65 (l) Any changes to the license holder's status; and

66 (m) Any other information determined necessary by



67 MDAC and the Department of Revenue.

68 (2) The public registry shall not include personal
69 information of an owner of a medical cannabis establishment.

70 (3) The registry shall be maintained electronically and
71 shall be easily accessible to the public.

72 **FURTHER, AMEND by inserting the following language below line**
73 **1347 and renumbering subsequent sections accordingly:**

74 **SECTION *. Banks to be held harmless.** A bank may provide
75 any services to any person or establishment licensed in this state
76 to engage in the business of medical cannabis, or with any person
77 or establishment engaging in business dealings with such licensee,
78 provided the bank may otherwise provide those services to any
79 other business.

80 **FURTHER, AMEND by inserting the following language below line**
81 **1403 and renumbering subsequent sections accordingly:**

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

84 27-65-75. On or before the fifteenth day of each month, the
85 revenue collected under the provisions of this chapter during the
86 preceding month shall be paid and distributed as follows:

87 (1) (a) On or before August 15, 1992, and each succeeding
88 month thereafter through July 15, 1993, eighteen percent (18%) of
89 the total sales tax revenue collected during the preceding month
90 under the provisions of this chapter, except that collected under



91 the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on
92 business activities within a municipal corporation shall be
93 allocated for distribution to the municipality and paid to the
94 municipal corporation. Except as otherwise provided in this
95 paragraph (a), on or before August 15, 1993, and each succeeding
96 month thereafter, eighteen and one-half percent (18-1/2%) of the
97 total sales tax revenue collected during the preceding month under
98 the provisions of this chapter, except that collected under the
99 provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and
100 27-65-24, on business activities within a municipal corporation
101 shall be allocated for distribution to the municipality and paid
102 to the municipal corporation. However, in the event the State
103 Auditor issues a certificate of noncompliance pursuant to Section
104 21-35-31, the Department of Revenue shall withhold ten percent
105 (10%) of the allocations and payments to the municipality that
106 would otherwise be payable to the municipality under this
107 paragraph (a) until such time that the department receives written
108 notice of the cancellation of a certificate of noncompliance from
109 the State Auditor.

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

113 Monies allocated for distribution and credited to a municipal
114 corporation under this paragraph may be pledged as security for a
115 loan if the distribution received by the municipal corporation is



116 otherwise authorized or required by law to be pledged as security
117 for such a loan.

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

125 (b) On or before August 15, 2006, and each succeeding
126 month thereafter, eighteen and one-half percent (18-1/2%) of the
127 total sales tax revenue collected during the preceding month under
128 the provisions of this chapter, except that collected under the
129 provisions of Sections 27-65-15, 27-65-19(3) * * *, 27-65-21 and
130 27-65-28, on business activities on the campus of a state
131 institution of higher learning or community or junior college
132 whose campus is not located within the corporate limits of a
133 municipality, shall be allocated for distribution to the state
134 institution of higher learning or community or junior college and
135 paid to the state institution of higher learning or community or
136 junior college.

137 (c) On or before August 15, 2018, and each succeeding
138 month thereafter until August 14, 2019, two percent (2%) of the
139 total sales tax revenue collected during the preceding month under
140 the provisions of this chapter, except that collected under the



141 provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and
142 27-65-24, on business activities within the corporate limits of
143 the City of Jackson, Mississippi, shall be deposited into the
144 Capitol Complex Improvement District Project Fund created in
145 Section 29-5-215. On or before August 15, 2019, and each
146 succeeding month thereafter until August 14, 2020, four percent
147 (4%) of the total sales tax revenue collected during the preceding
148 month under the provisions of this chapter, except that collected
149 under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21
150 and 27-65-24, on business activities within the corporate limits
151 of the City of Jackson, Mississippi, shall be deposited into the
152 Capitol Complex Improvement District Project Fund created in
153 Section 29-5-215. On or before August 15, 2020, and each
154 succeeding month thereafter, six percent (6%) of the total sales
155 tax revenue collected during the preceding month under the
156 provisions of this chapter, except that collected under the
157 provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 * * *,
158 27-65-24 and 27-65-28, on business activities within the corporate
159 limits of the City of Jackson, Mississippi, shall be deposited
160 into the Capitol Complex Improvement District Project Fund created
161 in Section 29-5-215.

162 (d) (i) On or before the fifteenth day of the month
163 that the diversion authorized by this section begins, and each
164 succeeding month thereafter, eighteen and one-half percent
165 (18-1/2%) of the total sales tax revenue collected during the



166 preceding month under the provisions of this chapter, except that
167 collected under the provisions of Sections 27-65-15,
168 27-65-19(3) * * *, 27-65-21 and 27-65-28, on business activities
169 within a redevelopment project area developed under a
170 redevelopment plan adopted under the Tax Increment Financing Act
171 (Section 21-45-1 et seq.) shall be allocated for distribution to
172 the county in which the project area is located if:

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

175 2. The county has issued bonds under Section
176 21-45-9 to finance all or a portion of a redevelopment project in
177 the redevelopment project area;

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

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

183 (ii) Before any sales tax revenue may be allocated
184 for distribution to a county under this paragraph, the county
185 shall certify to the Department of Revenue that the requirements
186 of this paragraph have been met, the amount of bonded indebtedness
187 that has been incurred by the county for the redevelopment project
188 and the expected date the indebtedness incurred by the county will
189 be satisfied.



190 (iii) The diversion of sales tax revenue
191 authorized by this paragraph shall begin the month following the
192 month in which the Department of Revenue determines that the
193 requirements of this paragraph have been met. The diversion shall
194 end the month the indebtedness incurred by the county is
195 satisfied. All revenue received by the county under this
196 paragraph shall be deposited in the fund required to be created in
197 the tax increment financing plan under Section 21-45-11 and be
198 utilized solely to satisfy the indebtedness incurred by the
199 county.

200 (2) On or before September 15, 1987, and each succeeding
201 month thereafter, from the revenue collected under this chapter
202 during the preceding month, One Million One Hundred Twenty-five
203 Thousand Dollars (\$1,125,000.00) shall be allocated for
204 distribution to municipal corporations as defined under subsection
205 (1) of this section in the proportion that the number of gallons
206 of gasoline and diesel fuel sold by distributors to consumers and
207 retailers in each such municipality during the preceding fiscal
208 year bears to the total gallons of gasoline and diesel fuel sold
209 by distributors to consumers and retailers in municipalities
210 statewide during the preceding fiscal year. The Department of
211 Revenue shall require all distributors of gasoline and diesel fuel
212 to report to the department monthly the total number of gallons of
213 gasoline and diesel fuel sold by them to consumers and retailers
214 in each municipality during the preceding month. The Department



215 of Revenue shall have the authority to promulgate such rules and
216 regulations as is necessary to determine the number of gallons of
217 gasoline and diesel fuel sold by distributors to consumers and
218 retailers in each municipality. In determining the percentage
219 allocation of funds under this subsection for the fiscal year
220 beginning July 1, 1987, and ending June 30, 1988, the Department
221 of Revenue may consider gallons of gasoline and diesel fuel sold
222 for a period of less than one (1) fiscal year. For the purposes
223 of this subsection, the term "fiscal year" means the fiscal year
224 beginning July 1 of a year.

225 (3) On or before September 15, 1987, and on or before the
226 fifteenth day of each succeeding month, until the date specified
227 in Section 65-39-35, the proceeds derived from contractors' taxes
228 levied under Section 27-65-21 on contracts for the construction or
229 reconstruction of highways designated under the highway program
230 created under Section 65-3-97 shall, except as otherwise provided
231 in Section 31-17-127, be deposited into the State Treasury to the
232 credit of the State Highway Fund to be used to fund that highway
233 program. The Mississippi Department of Transportation shall
234 provide to the Department of Revenue such information as is
235 necessary to determine the amount of proceeds to be distributed
236 under this subsection.

237 (4) On or before August 15, 1994, and on or before the
238 fifteenth day of each succeeding month through July 15, 1999, from
239 the proceeds of gasoline, diesel fuel or kerosene taxes as



240 provided in Section 27-5-101(a)(ii)1, Four Million Dollars
241 (\$4,000,000.00) shall be deposited in the State Treasury to the
242 credit of a special fund designated as the "State Aid Road Fund,"
243 created by Section 65-9-17. On or before August 15, 1999, and on
244 or before the fifteenth day of each succeeding month, from the
245 total amount of the proceeds of gasoline, diesel fuel or kerosene
246 taxes apportioned by Section 27-5-101(a)(ii)1, Four Million
247 Dollars (\$4,000,000.00) or an amount equal to twenty-three and
248 one-fourth percent (23-1/4%) of those funds, whichever is the
249 greater amount, shall be deposited in the State Treasury to the
250 credit of the "State Aid Road Fund," created by Section 65-9-17.
251 Those funds shall be pledged to pay the principal of and interest
252 on state aid road bonds heretofore issued under Sections 19-9-51
253 through 19-9-77, in lieu of and in substitution for the funds
254 previously allocated to counties under this section. Those funds
255 may not be pledged for the payment of any state aid road bonds
256 issued after April 1, 1981; however, this prohibition against the
257 pledging of any such funds for the payment of bonds shall not
258 apply to any bonds for which intent to issue those bonds has been
259 published for the first time, as provided by law before March 29,
260 1981. From the amount of taxes paid into the special fund under
261 this subsection and subsection (9) of this section, there shall be
262 first deducted and paid the amount necessary to pay the expenses
263 of the Office of State Aid Road Construction, as authorized by the
264 Legislature for all other general and special fund agencies. The



265 remainder of the fund shall be allocated monthly to the several
266 counties in accordance with the following formula:

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

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

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

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

280 The amount of funds allocated to any county under this
281 subsection for any fiscal year after fiscal year 1994 shall not be
282 less than the amount allocated to the county for fiscal year 1994.

283 Any reference in the general laws of this state or the
284 Mississippi Code of 1972 to Section 27-5-105 shall mean and be
285 construed to refer and apply to subsection (4) of Section
286 27-65-75.

287 (5) One Million Six Hundred Sixty-six Thousand Six Hundred
288 Sixty-six Dollars (\$1,666,666.00) each month shall be paid into
289 the special fund known as the "State Public School Building Fund"



290 created and existing under the provisions of Sections 37-47-1
291 through 37-47-67. Those payments into that fund are to be made on
292 the last day of each succeeding month hereafter.

293 (6) An amount each month beginning August 15, 1983, through
294 November 15, 1986, as specified in Section 6, Chapter 542, Laws of
295 1983, shall be paid into the special fund known as the
296 Correctional Facilities Construction Fund created in Section 6,
297 Chapter 542, Laws of 1983.

298 (7) On or before August 15, 1992, and each succeeding month
299 thereafter through July 15, 2000, two and two hundred sixty-six
300 one-thousandths percent (2.266%) of the total sales tax revenue
301 collected during the preceding month under the provisions of this
302 chapter, except that collected under the provisions of Section
303 27-65-17(2), shall be deposited by the department into the School
304 Ad Valorem Tax Reduction Fund created under Section 37-61-35. On
305 or before August 15, 2000, and each succeeding month thereafter,
306 two and two hundred sixty-six one-thousandths percent (2.266%) of
307 the total sales tax revenue collected during the preceding month
308 under the provisions of this chapter, except that collected under
309 the provisions of Sections 27-65-17(2) and 27-65-28, shall be
310 deposited into the School Ad Valorem Tax Reduction Fund created
311 under Section 37-61-35 until such time that the total amount
312 deposited into the fund during a fiscal year equals Forty-two
313 Million Dollars (\$42,000,000.00). Thereafter, the amounts
314 diverted under this subsection (7) during the fiscal year in



315 excess of Forty-two Million Dollars (\$42,000,000.00) shall be
316 deposited into the Education Enhancement Fund created under
317 Section 37-61-33 for appropriation by the Legislature as other
318 education needs and shall not be subject to the percentage
319 appropriation requirements set forth in Section 37-61-33.

320 (8) On or before August 15, 1992, and each succeeding month
321 thereafter, nine and seventy-three one-thousandths percent
322 (9.073%) of the total sales tax revenue collected during the
323 preceding month under the provisions of this chapter, except that
324 collected under the provisions of Sections 27-65-17(2) and
325 27-65-28, shall be deposited into the Education Enhancement Fund
326 created under Section 37-61-33.

327 (9) On or before August 15, 1994, and each succeeding month
328 thereafter, from the revenue collected under this chapter during
329 the preceding month, Two Hundred Fifty Thousand Dollars
330 (\$250,000.00) shall be paid into the State Aid Road Fund.

331 (10) On or before August 15, 1994, and each succeeding month
332 thereafter through August 15, 1995, from the revenue collected
333 under this chapter during the preceding month, Two Million Dollars
334 (\$2,000,000.00) shall be deposited into the Motor Vehicle Ad
335 Valorem Tax Reduction Fund established in Section 27-51-105.

336 (11) Notwithstanding any other provision of this section to
337 the contrary, on or before February 15, 1995, and each succeeding
338 month thereafter, the sales tax revenue collected during the
339 preceding month under the provisions of Section 27-65-17(2) and



340 the corresponding levy in Section 27-65-23 on the rental or lease
341 of private carriers of passengers and light carriers of property
342 as defined in Section 27-51-101 shall be deposited, without
343 diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund
344 established in Section 27-51-105.

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

354 (13) On or before July 15, 1994, and on or before the
355 fifteenth day of each succeeding month thereafter, that portion of
356 the avails of the tax imposed in Section 27-65-22 that is derived
357 from activities held on the Mississippi State Fairgrounds Complex
358 shall be paid into a special fund that is created in the State
359 Treasury and shall be expended upon legislative appropriation
360 solely to defray the costs of repairs and renovation at the Trade
361 Mart and Coliseum.

362 (14) On or before August 15, 1998, and each succeeding month
363 thereafter through July 15, 2005, that portion of the avails of
364 the tax imposed in Section 27-65-23 that is derived from sales by



365 cotton compresses or cotton warehouses and that would otherwise be
366 paid into the General Fund shall be deposited in an amount not to
367 exceed Two Million Dollars (\$2,000,000.00) into the special fund
368 created under Section 69-37-39. On or before August 15, 2007, and
369 each succeeding month thereafter through July 15, 2010, that
370 portion of the avails of the tax imposed in Section 27-65-23 that
371 is derived from sales by cotton compresses or cotton warehouses
372 and that would otherwise be paid into the General Fund shall be
373 deposited in an amount not to exceed Two Million Dollars
374 (\$2,000,000.00) into the special fund created under Section
375 69-37-39 until all debts or other obligations incurred by the
376 Certified Cotton Growers Organization under the Mississippi Boll
377 Weevil Management Act before January 1, 2007, are satisfied in
378 full. On or before August 15, 2010, and each succeeding month
379 thereafter through July 15, 2011, fifty percent (50%) of that
380 portion of the avails of the tax imposed in Section 27-65-23 that
381 is derived from sales by cotton compresses or cotton warehouses
382 and that would otherwise be paid into the General Fund shall be
383 deposited into the special fund created under Section 69-37-39
384 until such time that the total amount deposited into the fund
385 during a fiscal year equals One Million Dollars (\$1,000,000.00).
386 On or before August 15, 2011, and each succeeding month
387 thereafter, that portion of the avails of the tax imposed in
388 Section 27-65-23 that is derived from sales by cotton compresses
389 or cotton warehouses and that would otherwise be paid into the



390 General Fund shall be deposited into the special fund created
391 under Section 69-37-39 until such time that the total amount
392 deposited into the fund during a fiscal year equals One Million
393 Dollars (\$1,000,000.00).

394 (15) Notwithstanding any other provision of this section to
395 the contrary, on or before September 15, 2000, and each succeeding
396 month thereafter, the sales tax revenue collected during the
397 preceding month under the provisions of Section
398 27-65-19(1)(d)(i)2, and 27-65-19(1)(d)(i)3 shall be deposited,
399 without diversion, into the Telecommunications Ad Valorem Tax
400 Reduction Fund established in Section 27-38-7.

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

408 (b) On or before August 15, 2007, and each succeeding
409 month thereafter, eighty percent (80%) of the sales tax revenue
410 collected during the preceding month under the provisions of this
411 chapter from the operation of a tourism project under the
412 provisions of Sections 57-26-1 through 57-26-5, shall be
413 deposited, after the diversions required in subsections (7) and



414 (8) of this section, into the Tourism Project Sales Tax Incentive
415 Fund created in Section 57-26-3.

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

423 (18) [Repealed]

424 (19) (a) On or before August 15, 2005, and each succeeding
425 month thereafter, the sales tax revenue collected during the
426 preceding month under the provisions of this chapter on the gross
427 proceeds of sales of a business enterprise located within a
428 redevelopment project area under the provisions of Sections
429 57-91-1 through 57-91-11, and the revenue collected on the gross
430 proceeds of sales from sales made to a business enterprise located
431 in a redevelopment project area under the provisions of Sections
432 57-91-1 through 57-91-11 (provided that such sales made to a
433 business enterprise are made on the premises of the business
434 enterprise), shall, except as otherwise provided in this
435 subsection (19) and Section 27-65-28, be deposited, after all
436 diversions, into the Redevelopment Project Incentive Fund as
437 created in Section 57-91-9.



438 (b) For a municipality participating in the Economic
439 Redevelopment Act created in Sections 57-91-1 through 57-91-11,
440 the diversion provided for in subsection (1) of this section
441 attributable to the gross proceeds of sales of a business
442 enterprise located within a redevelopment project area under the
443 provisions of Sections 57-91-1 through 57-91-11, and attributable
444 to the gross proceeds of sales from sales made to a business
445 enterprise located in a redevelopment project area under the
446 provisions of Sections 57-91-1 through 57-91-11 (provided that
447 such sales made to a business enterprise are made on the premises
448 of the business enterprise), shall be deposited into the
449 Redevelopment Project Incentive Fund as created in Section
450 57-91-9, as follows:

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

455 (ii) For the seventh year in which such payments
456 are made to a developer from the Redevelopment Project Incentive
457 Fund, eighty percent (80%) of the diversion shall be deposited
458 into the fund;

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



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

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

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

478 (21) (a) On or before April 15, 2007, and each succeeding
479 month thereafter through June 15, 2013, One Hundred Fifty Thousand
480 Dollars (\$150,000.00) of the sales tax revenue collected during
481 the preceding month under the provisions of this chapter shall be
482 deposited into the MMEIA Tax Incentive Fund created in Section
483 57-101-3.

484 (b) On or before July 15, 2013, and each succeeding
485 month thereafter, One Hundred Fifty Thousand Dollars (\$150,000.00)
486 of the sales tax revenue collected during the preceding month
487 under the provisions of this chapter shall be deposited into the



488 Mississippi Development Authority Job Training Grant Fund created
489 in Section 57-1-451.

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

496 (23) (a) On or before August 15, 2019, and each month
497 thereafter through July 15, 2020, one percent (1%) of the total
498 sales tax revenue collected during the preceding month from
499 restaurants and hotels shall be allocated for distribution to the
500 Mississippi Development Authority Tourism Advertising Fund
501 established under Section 57-1-64, to be used exclusively for the
502 purpose stated therein. On or before August 15, 2020, and each
503 month thereafter through July 15, 2021, two percent (2%) of the
504 total sales tax revenue collected during the preceding month from
505 restaurants and hotels shall be allocated for distribution to the
506 Mississippi Development Authority Tourism Advertising Fund
507 established under Section 57-1-64, to be used exclusively for the
508 purpose stated therein. On or before August 15, 2021, and each
509 month thereafter, three percent (3%) of the total sales tax
510 revenue collected during the preceding month from restaurants and
511 hotels shall be allocated for distribution to the Mississippi
512 Development Authority Tourism Advertising Fund established under



513 Section 57-1-64, to be used exclusively for the purpose stated
514 therein. The revenue diverted pursuant to this subsection shall
515 not be available for expenditure until February 1, 2020.

516 (b) The Joint Legislative Committee on Performance
517 Evaluation and Expenditure Review (PEER) must provide an annual
518 report to the Legislature indicating the amount of funds deposited
519 into the Mississippi Development Authority Tourism Advertising
520 Fund established under Section 57-1-64, and a detailed record of
521 how the funds are spent.

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

525 (25) (a) It shall be the duty of the municipal officials of
526 any municipality that expands its limits, or of any community that
527 incorporates as a municipality, to notify the commissioner of that
528 action thirty (30) days before the effective date. Failure to so
529 notify the commissioner shall cause the municipality to forfeit
530 the revenue that it would have been entitled to receive during
531 this period of time when the commissioner had no knowledge of the
532 action.

533 (b) (i) Except as otherwise provided in subparagraph
534 (ii) of this paragraph, if any funds have been erroneously
535 disbursed to any municipality or any overpayment of tax is
536 recovered by the taxpayer, the commissioner may make correction
537 and adjust the error or overpayment with the municipality by



538 withholding the necessary funds from any later payment to be made
539 to the municipality.

540 (ii) Subject to the provisions of Sections
541 27-65-51 and 27-65-53, if any funds have been erroneously
542 disbursed to a municipality under subsection (1) of this section
543 for a period of three (3) years or more, the maximum amount that
544 may be recovered or withheld from the municipality is the total
545 amount of funds erroneously disbursed for a period of three (3)
546 years beginning with the date of the first erroneous disbursement.
547 However, if during such period, a municipality provides written
548 notice to the Department of Revenue indicating the erroneous
549 disbursement of funds, then the maximum amount that may be
550 recovered or withheld from the municipality is the total amount of
551 funds erroneously disbursed for a period of one (1) year beginning
552 with the date of the first erroneous disbursement.

553 **FURTHER, AMEND on lines 1480, 1528, 1595, 1670 and 2060 by**
554 **inserting the following after the period:**

555 This subsection shall stand repealed three (3) years after
556 the effective date of this act.

557 **FURTHER, AMEND on line 2092 by inserting a designation of**
558 **subsection "(b)", and on line 2094 by inserting the following**
559 **after the period:**

560 This subsection shall stand repealed three (3) years after
561 the effective date of this act.



562 **FURTHER, AMEND on line 2120 by inserting a designation of**
563 **subsection "(b)", and on line 2122 by inserting the following**
564 **after the period:**

565 This subsection shall stand repealed three (3) years after
566 the effective date of this act.

567 **FURTHER, AMEND by inserting the following below line 2122:**

568 **SECTION *.** This act shall stand repealed three (3) years
569 after its effective date.

570 **AMEND on line 2124 by striking "July 1, 2021, and shall stand**
571 **repealed on June 30, 2021" and inserting in lieu thereof, before**
572 **the period, the following:**

573 the date, if any, that the provisions of Initiative Measure Number
574 65 of 2020 are enjoined or otherwise ruled of no legal force and
575 effect, and shall stand repealed on January 1, 2021

576 **FURTHER, AMEND the title to conform.**

