

**Adopted
AMENDMENT NO 1 PROPOSED TO**

House Bill No. 1020

BY: Representative Lamar

**Amend by striking all after the enacting clause and inserting
in lieu thereof the following:**

26 **SECTION 1.** There shall be created two (2) inferior courts as
27 authorized by Article 6, Section 172 of the Mississippi
28 Constitution of 1890, to be located within the boundaries
29 established in Section 29-5-203 for the Capitol Complex
30 Improvement District, hereinafter referred to as "CCID".

31 **SECTION 2.** (1) Each Capitol Complex Improvement District
32 (CCID) inferior court judge shall possess all qualifications
33 required by law for circuit and chancery court judges. Each judge
34 of such court shall be a qualified elector of this state, and
35 shall have such other qualifications as provided for by law. Each



36 judge shall be appointed by the Chief Justice of the Mississippi
37 Supreme Court to serve four (4) year terms.

38 (2) The persons appointed as judges for the CCID inferior
39 courts shall not practice law in any of the courts of the state.

40 (3) Each CCID inferior court judge shall be paid an annual
41 salary equal to the amount provided by law for circuit and
42 chancery judges. The annual compensation of the judges shall be
43 increased any time the annual salaries for circuit and chancery
44 judges are increased.

45 (4) Each CCID inferior judge shall be provided an operating
46 allowance equal to the amounts authorized in Section 9-1-36.

47 (5) The Administrative Office of Courts shall provide
48 monies for the office operating allowances, salaries for support
49 staff and judges in the same manner as provided to circuit and
50 chancery judges upon annual appropriation by the Legislature.

51 **SECTION 3.** (1) (a) The Attorney General shall appoint four
52 (4) attorneys to serve as prosecuting attorneys for the Capitol
53 Complex Improvement District (CCID) inferior courts. Such
54 prosecuting attorneys may be employees with the Office of the
55 Attorney General or contracted by the Attorney General for such
56 purposes. The attorneys shall prosecute cases therein, in the
57 same manner and with the same authority of law provided for
58 district attorneys and county prosecuting attorneys. The CCID
59 inferior courts prosecuting attorneys are authorized to file
60 indictments or other criminal actions in the Circuit Court of the



61 First Judicial District of Hinds County. The provisions of this
62 section shall not be construed to prohibit or in any way limit the
63 Hinds County District Attorney from filing an indictment or any
64 other criminal action that occurred or accrued, in whole or in
65 part, within the boundaries of the CCID in the CCID inferior
66 courts.

67 (b) The Attorney General shall provide support staff
68 and any other staff necessary to assist such prosecuting attorneys
69 in carrying out their functions and duties as prosecuting
70 attorneys.

71 (c) The Attorney General shall provide funding for the
72 salaries for support staff and prosecuting attorneys in the same
73 amounts and in the same manner as provided to district attorneys
74 and assistant district attorneys by law.

75 (2) (a) The State Defender of the Office of State Public
76 Defender shall appoint four (4) attorneys to serve as public
77 defenders on an as needed basis within the CCID inferior courts.

78 (b) The State Defender shall provide support staff and
79 any other staff necessary to assist the public defenders in
80 carrying out their functions and duties.

81 (c) The State Defender shall provide salaries for the
82 defenders in the same manner as provided by law for public
83 defenders.

84 (d) In addition to any other authority provided by law
85 for the State Defender, the State Defender may represent indigent



86 persons in legal proceedings where the person has a constitutional
87 right to appointed counsel and may provide representation to
88 parents or guardians who have been determined by the youth court
89 judge to be indigent and in need of representation in an abuse,
90 neglect or termination of parental rights proceeding or appeal
91 therefrom. The State Defender shall promulgate, implement and
92 enforce standards that define how effective indigent defense
93 services should be provided in all such cases, subject to the
94 approval of the Mississippi Supreme Court. In addition to the
95 representation that may be provided by staff or contract counsel,
96 county public defender programs shall also be included.

97 (3) (a) The Administrative Office of Courts, in
98 consultation with the Chief Justice of the Supreme Court, shall
99 appoint a clerk and a deputy clerk for the CCID inferior courts.

100 (b) The Administrative Office of Courts shall provide
101 support staff and any other staff necessary to carry out the
102 functions and duties for the clerk and deputy clerk for the CCID
103 inferior courts.

104 (c) The Administrative Office of Courts shall provide
105 monies for the salaries of support staff, the clerk and the deputy
106 clerk with monies appropriated by the Legislature for such
107 purpose.

108 **SECTION 4.** (1) The clerk of the Capitol Complex Improvement
109 District (CCID) inferior courts shall maintain a jury box and
110 shall place therein the names or identifying numbers of all



111 prospective jurors drawn from the jury wheel. The names of all
112 qualified electors in Hinds County shall be placed in the jury
113 wheel.

114 (2) A CCID inferior court judge may direct the CCID inferior
115 courts clerk to draw and assign to the CCID inferior court or
116 official the number of jurors he deems necessary for one or more
117 jury panels or as required by law for a grand jury, except as
118 otherwise provided by subsection (3) of this section. Upon
119 receipt of the direction, and in a manner prescribed by the CCID
120 inferior court, the CCID inferior court clerk shall publicly draw
121 at random from the jury box the number of jurors specified.

122 (3) The CCID inferior court may order that the drawing and
123 assigning of jurors pursuant to subsection (2) of this section may
124 be performed by random selection of a computer or electronic
125 device pursuant to such rules and regulations as may be prescribed
126 by the court. The jurors drawn for jury service shall be assigned
127 at random by such clerk to each jury panel in a manner prescribed
128 by such court.

129 (4) If any person receives a jury summons from the Circuit
130 Court of the First Judicial District of Hinds County and a jury
131 summons from the CCID inferior court to serve as a juror for the
132 respective courts during the same time period, the summons by the
133 circuit court shall supersede and take precedence over the summons
134 from the CCID inferior court. The person who receives such
135 summons shall notify the Clerk of the CCID inferior court that he



136 or she has received a summons from the Circuit Court of the First
137 Judicial District of Hinds County.

138 **SECTION 5.** (1) The Capitol Complex Improvement District
139 (CCID) inferior courts shall have jurisdiction over criminal and
140 civil matters authorized by this act which occurred or accrued, in
141 whole or in part, within the boundaries established for the
142 Capitol Complex Improvement District in Section 29-5-203. CCID
143 inferior courts shall have jurisdiction concurrent with the
144 justice court in all matters, civil and criminal of which the
145 justice court has jurisdiction for actions. It shall also have
146 concurrent jurisdiction with the county court of Hinds County in
147 all criminal matters that are not excluded by the provisions of
148 this section. It shall also have concurrent jurisdiction with the
149 Circuit Court and Chancery Court of the First Judicial District of
150 Hinds County regarding all civil and criminal matters that are not
151 excluded by the provisions of this section. The jurisdiction of
152 the CCID inferior courts shall not include: (a) matters regarding
153 treason, (b) actions filed against a municipality or a county of
154 this state, (c) appeals from a decision of any agency, board,
155 commission or department of this state, (d) bond validations, (e)
156 divorce, (f) alimony, (g) all matters relating to adoptions, (h)
157 matters of testamentary and administration, (i) minor's business
158 and (j) cases of idiocy, lunacy and persons of unsound mind. For
159 jurisdiction in civil actions, the amount of value of the thing in
160 controversy shall be more than Two Hundred Thousand Dollars



161 (\$200,000.00), but shall not exceed, exclusive of costs and
162 interest, the sum of Twenty Million Dollars (\$20,000,000.00), and
163 the jurisdiction of the CCID inferior courts shall not be affected
164 by any setoff, counterclaim or cross bill in such actions where
165 the amount sought to be recovered in such setoff, counterclaim or
166 cross bill is less than Two Hundred Thousand Dollars (\$200,000.00)
167 or less, or exceeds Twenty Million Dollars (\$20,000,000.00).
168 However, the party filing such setoff, counterclaim or cross bill
169 which exceeds Twenty Million Dollars (\$20,000,000.00) shall give
170 notice to the opposite party or parties as provided by law, and on
171 motion of all parties filed within twenty (20) days after the
172 filing of such setoff, counterclaim or cross bill, the CCID
173 inferior court shall transfer the case to the Circuit Court of the
174 First Judicial District of Hinds County.

175 (2) (a) Appeals from CCID inferior courts shall be made to
176 the Circuit Court of the First Judicial District of Hinds County
177 (Hinds County Circuit Court). Appeals shall be considered solely
178 upon the record as made in CCID inferior courts. If no
179 prejudicial error is found, the matter shall be affirmed and
180 judgment or decree entered in the same manner and against the like
181 parties and with like penalties as is provided in affirmances in
182 the Supreme Court. If prejudicial error is found, the court shall
183 reverse and shall enter judgment or decree in the manner and
184 against like parties and with like penalties as is provided in
185 reversals in the Supreme Court.



186 (b) Appeals from CCID inferior courts shall be filed
187 with the Hinds County Clerk within thirty (30) days from the date
188 of the entry of the final judgment or decree on the minutes of the
189 court.

190 (c) Any party to an action in the CCID inferior courts
191 may appeal directly to the Supreme Court on the thirty-first day
192 after the earlier of: (i) the Hinds County Circuit Court fails to
193 render a final appellate judgment within thirty (30) days after
194 the Hinds County Clerk receives the notice of appeal and the full
195 appellate record as described in paragraph (b) of this subsection;
196 (ii) the Hinds County Circuit Court issues its final appellate
197 judgement in written form; or (iii) the Hinds County Circuit Court
198 issues a written refusal to hear such action on appeal.

199 **SECTION 6.** Each Capitol Complex Improvement District (CCID)
200 inferior court judge shall have power to issue writs, and to try
201 matters, of habeas corpus on application therefor, or when made
202 returnable before the judge by a superior judge. Each CCID
203 inferior court judge shall also have the power to order the
204 issuance of writs of certiorari, supersedeas, attachments, and
205 other remedial writs in all cases pending in, or within the
206 jurisdiction of, his or her court. He or she shall have the
207 authority to issue search warrants returnable to the CCID inferior
208 court or to any justice court judge within Hinds County in the
209 same manner as is provided by law for the issuance of search
210 warrants by justice court judges. In all cases pending in, or



211 within the jurisdiction of, his or her court, he or she shall
212 have, in term time, and in vacation, the power to order, do or
213 determine to the same extent and in the same manner as a judge
214 with concurrent jurisdiction.

215 **SECTION 7.** In any civil cases authorized under the
216 jurisdiction of the CCID inferior courts that are instituted in
217 the Circuit Court of the First Judicial District of Hinds County
218 (Hinds County Circuit Court), wherein all parties file a motion to
219 transfer the case to the CCID inferior court for trial, or wherein
220 all parties file an instrument of writing consenting to such a
221 transfer, the Hinds County Circuit Court shall transfer the case
222 to the CCID inferior court for trial, provided that such order of
223 transfer is rendered prior to the empaneling of the jury in such
224 cases. The CCID inferior court shall have full jurisdiction of
225 and shall proceed to try any case so transferred.

226 In any misdemeanor cases and in felony cases, wherein
227 indictments have been returned by the grand jury and instituted in
228 the Hinds County Circuit Court, wherein the district attorney and
229 the defendant or defendants file a motion to transfer the case to
230 the CCID inferior court for trial provided that the CCID inferior
231 court would otherwise have jurisdiction of such matters, or
232 wherein the district attorney and the defendant or defendants all
233 file an instrument of writing consenting to such a transfer, the
234 Hinds County Circuit Court shall transfer the case to the CCID
235 inferior court for trial, provided that such order of transfer is



236 rendered prior to the empaneling of the jury in such cases. The
237 CCID inferior court shall have full jurisdiction of and shall
238 proceed to try any case so transferred.

239 In addition, any reputable citizen may make an affidavit
240 charging crime before the judge of the CCID inferior court
241 provided that the CCID inferior court would otherwise have
242 jurisdiction of such matters, and such affidavit shall be filed
243 with the clerk of the CCID inferior court, and if the crime
244 charged is a misdemeanor, the CCID inferior court shall have
245 jurisdiction to try and dispose of the charge and, if the crime
246 charged is a felony, such judge shall have jurisdiction to hear
247 and determine the cause, the same as now provided by law to be
248 done by justice court judges, and to commit the person so charged,
249 with or without bail as the evidence may warrant, or to discharge
250 the defendant.

251 **SECTION 8.** The Capitol Complex Improvement District (CCID)
252 inferior court shall be a court of record, and the clerk or his or
253 her deputy shall attend all the sessions of such court, and have
254 present at all sessions, all books, records, files, and papers
255 pertaining to the term then in session. The dockets, minutes, and
256 records of the CCID inferior court shall be kept, so far as is
257 practicable, in the same manner as are those of the circuit court
258 as provided by statute and the Mississippi Rules of Civil
259 Procedure. The Capitol Police Chief shall be the executive
260 officer of the CCID inferior court; he shall by himself, or



261 deputy, attend all its sessions, and he shall serve all process
262 and execute all writs issued therefrom in the manner as such
263 process and writs would be served and executed when issued by the
264 courts.

265 **SECTION 9.** (1) The Capitol Complex Improvement District
266 (CCID) inferior court judges shall hold regular terms of their
267 courts, at such times as they may appoint, not exceeding two (2)
268 and not less than one (1) in every month, in the Joint Legislative
269 Budget Committee hearing room in the Woolfolk Building and/or any
270 other suitable location designated by the Department of Finance
271 and Administration, and they may continue to hold their courts
272 from day to day so long as business may require. All process
273 shall be returnable, and all trials shall take place at such
274 regular terms, except where it is otherwise provided. However,
275 where the defendant is a nonresident of the Capitol Complex
276 Improvement District or transient person, and it is shown by the
277 oath of either party that a delay of the trial until the regular
278 term will be of material injury to him or her, it shall be lawful
279 for the judge to have the parties brought before him or her at any
280 reasonable time and hear the evidence and give judgment, or where
281 the defendant is a nonresident or transient person and the judge
282 and all parties agree, it shall be lawful for the judge to have
283 the parties brought before him or her on the day a citation is
284 made and hear the evidence and give judgment. Such court shall be
285 a court of record, with all the power incident to a court of



286 record, including power to fine in the amount of fine and length
287 of imprisonment as is authorized by law for contempt of court.

288 (2) The Department of Finance and Administration shall
289 provide the necessary support to renovate and repair the Joint
290 Legislative Budget Committee hearing room in the Woolfolk Building
291 to properly and safely accommodate the proceedings of the CCID
292 inferior courts. The Department of Finance and Administration may
293 also designate other suitable locations to properly and safely
294 accommodate the proceedings of the CCID inferior courts.

295 **SECTION 10.** Section 29-5-203, Mississippi Code of 1972, is
296 amended as follows:

297 29-5-203. There is created the Capitol Complex Improvement
298 District to be composed of the following described area in the
299 City of Jackson, Mississippi, and the City of Ridgeland,
300 Mississippi, that surrounds the State Capitol Building:

301 CAPITOL COMPLEX PROPOSED BOUNDARIES

302 • Beginning at a point on the west bank of the Pearl River
303 determined by extending the south curb line of High Street east
304 until it meets the bank of the Pearl River;

305 • Then north along the west bank of the Pearl
306 River * * * ~~(extending along the southern boundary of LeFleur's~~
307 ~~Bluff State Park)~~ until it reaches a point on such bank determined
308 by extending the * * * ~~east curb line of Ridgewood Road south~~ north
309 curb line of County Line Road until it meets the bank of the Pearl
310 River;



311 • Then west along the north curb line of County Line Road
312 until it reaches the west curb line of North State Street - U.S.
313 Highway 51;

314 * * *~~Then north along such line determined by extending the east~~
315 ~~curb line of Ridgewood Road and continuing along such curb line~~
316 ~~until it reaches the northern drainage ditch of Eastover Drive;~~

317 —• ~~Then west along the northern drainage ditch and curb line~~
318 ~~of Eastover Drive until it reaches the western curb line of the~~
319 ~~west frontage road of I-55;~~

320 —~~Then south along the west curb line of such frontage road until~~
321 ~~it reaches the northern curb line of Lakeland Drive;~~

322 —• ~~Then west along the northern curb line of Lakeland Drive~~
323 ~~until it reaches the eastern curb line of Old Canton Road;~~

324 —• ~~Then north along the east curb line of Old Canton Road~~
325 ~~until it reaches the northern curb line of Meadowbrook Road;~~

326 —• ~~Then west along the north curb line of Meadowbrook Road to~~
327 ~~the west curb line of North State Street;~~

328 • Then south along the west curb line of North State Street
329 - U.S. Highway 51 to the north curb line of Hartfield Street;

330 • Then west along the north curb line of Hartfield Street to
331 the west curb line of Oxford Avenue;

332 • Then south on the west curb line of Oxford Avenue to the
333 north curb line of Mitchell Avenue which becomes Stonewall Street;



334 • Then west along the north curb line of Mitchell Street and
335 then Stonewall Street until it reaches the west curb line of
336 Livingston Road;

337 • Then south along the west curb line of Livingston Road
338 until it reaches the south curb line of Woodrow Wilson Drive;

339 • Then east along the south curb line of Woodrow Wilson
340 Drive to the west curb line of Bailey Avenue (which becomes
341 Gallatin Street);

342 • Then south along the west curb line of Bailey Avenue and
343 then Gallatin Street until it reaches the north curb line of * * *
344 ~~West Capitol~~ West Monument Street;

345 • Then west and south along the north curb line of * * *
346 ~~West Capitol~~ West Monument Street until it intersects with the
347 north curb line of Robinson Road;

348 • Then west on the north curb line of Robinson Road until it
349 intersects with the west curb line of Prentiss Street;

350 • Then south along the west curb line of Prentiss Street
351 until it intersects with the north curb line of John R. Lynch
352 Street on the west side of Jackson State University;

353 • Then west on the north curb line of John R. Lynch Street
354 until it reaches the west curb line of Valley Street;

355 • Then south along the west curb line of Valley Street until
356 it reaches the south curb line of Morehouse Street;

357 • Then east along the south curb line of Morehouse Street
358 until it reaches the west curb line of Dalton Street;



359 • Then south along the west curb line of Dalton Street until
360 it reaches the south curb line of Florence Avenue;

361 • Then east along the south curb line of Florence Avenue
362 until it reaches the east curb line of University Blvd. (Terry
363 Road);

364 • Then * * *~~north and~~ south along the east curb line of
365 University Blvd. (Terry Road) until it reaches the south curb line
366 of * * *~~Hooker Street~~ U.S. Highway 80;

367 • Then east along the south curb line of * * *~~Hooker Street~~
368 ~~extending in a straight line to the railroad tracks~~ U.S. Highway
369 80 until it reaches the western edge of Interstate 55;

370 * * *~~—————• Then north on the west side of such railroad tracks~~
371 ~~to the south curb line of South Street;~~

372 —————• ~~Then east on South Street to the east curb line of~~
373 ~~Jefferson Street and extend the south curb line of South Street in~~
374 ~~a straight line to the east to the western edge of I-55;~~

375 • Then north along the western edge of I-55 until it reaches
376 the south curb line of High Street;

377 • Then east along the south curb line of High Street and
378 extending such line to the Pearl River and the point of the
379 beginning.

380 **SECTION 11.** Section 27-65-75, Mississippi Code of 1972, is
381 amended as follows:



382 27-65-75. On or before the fifteenth day of each month, the
383 revenue collected under the provisions of this chapter during the
384 preceding month shall be paid and distributed as follows:

385 (1) (a) On or before August 15, 1992, and each succeeding
386 month thereafter through July 15, 1993, eighteen percent (18%) of
387 the total sales tax revenue collected during the preceding month
388 under the provisions of this chapter, except that collected under
389 the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on
390 business activities within a municipal corporation shall be
391 allocated for distribution to the municipality and paid to the
392 municipal corporation. Except as otherwise provided in this
393 paragraph (a), on or before August 15, 1993, and each succeeding
394 month thereafter, eighteen and one-half percent (18-1/2%) of the
395 total sales tax revenue collected during the preceding month under
396 the provisions of this chapter, except that collected under the
397 provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and
398 27-65-24, on business activities within a municipal corporation
399 shall be allocated for distribution to the municipality and paid
400 to the municipal corporation. However, in the event the State
401 Auditor issues a certificate of noncompliance pursuant to Section
402 21-35-31, the Department of Revenue shall withhold ten percent
403 (10%) of the allocations and payments to the municipality that
404 would otherwise be payable to the municipality under this
405 paragraph (a) until such time that the department receives written



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

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

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

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

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



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

434 (c) On or before August 15, 2018, and each succeeding
435 month thereafter until August 14, 2019, two percent (2%) of the
436 total sales tax revenue collected during the preceding month under
437 the provisions of this chapter, except that collected under the
438 provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and
439 27-65-24, on business activities within the corporate limits of
440 the City of Jackson, Mississippi, shall be deposited into the
441 Capitol Complex Improvement District Project Fund created in
442 Section 29-5-215. On or before August 15, 2019, and each
443 succeeding month thereafter until August 14, 2020, four percent
444 (4%) of the total sales tax revenue collected during the preceding
445 month under the provisions of this chapter, except that collected
446 under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21
447 and 27-65-24, on business activities within the corporate limits
448 of the City of Jackson, Mississippi, shall be deposited into the
449 Capitol Complex Improvement District Project Fund created in
450 Section 29-5-215. On or before August 15, 2020, and each
451 succeeding month thereafter through July 15, 2023, six percent
452 (6%) of the total sales tax revenue collected during the preceding
453 month under the provisions of this chapter, except that collected
454 under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21
455 and 27-65-24, on business activities within the corporate limits



456 of the City of Jackson, Mississippi, shall be deposited into the
457 Capitol Complex Improvement District Project Fund created in
458 Section 29-5-215. On or before August 15, 2023, and each
459 succeeding month thereafter, twelve percent (12%) of the total
460 sales tax revenue collected during the preceding month under the
461 provisions of this chapter, except that collected under the
462 provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and
463 27-65-24, on business activities within the corporate limits of
464 the City of Jackson, Mississippi, shall be deposited into the
465 Capitol Complex Improvement District Project Fund created in
466 Section 29-5-215.

467 (d) (i) On or before the fifteenth day of the month
468 that the diversion authorized by this section begins, and each
469 succeeding month thereafter, eighteen and one-half percent
470 (18-1/2%) of the total sales tax revenue collected during the
471 preceding month under the provisions of this chapter, except that
472 collected under the provisions of Sections 27-65-15, 27-65-19(3)
473 and 27-65-21, on business activities within a redevelopment
474 project area developed under a redevelopment plan adopted under
475 the Tax Increment Financing Act (Section 21-45-1 et seq.) shall be
476 allocated for distribution to the county in which the project area
477 is located if:

- 478 1. The county:
- 479 a. Borders on the Mississippi Sound and
480 the State of Alabama, or



481 b. Is Harrison County, Mississippi, and
482 the project area is within a radius of two (2) miles from the
483 intersection of Interstate 10 and Menge Avenue;

484 2. The county has issued bonds under Section
485 21-45-9 to finance all or a portion of a redevelopment project in
486 the redevelopment project area;

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

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

492 (ii) Before any sales tax revenue may be allocated
493 for distribution to a county under this paragraph, the county
494 shall certify to the Department of Revenue that the requirements
495 of this paragraph have been met, the amount of bonded indebtedness
496 that has been incurred by the county for the redevelopment project
497 and the expected date the indebtedness incurred by the county will
498 be satisfied.

499 (iii) The diversion of sales tax revenue
500 authorized by this paragraph shall begin the month following the
501 month in which the Department of Revenue determines that the
502 requirements of this paragraph have been met. The diversion shall
503 end the month the indebtedness incurred by the county is
504 satisfied. All revenue received by the county under this
505 paragraph shall be deposited in the fund required to be created in



506 the tax increment financing plan under Section 21-45-11 and be
507 utilized solely to satisfy the indebtedness incurred by the
508 county.

509 (2) On or before September 15, 1987, and each succeeding
510 month thereafter, from the revenue collected under this chapter
511 during the preceding month, One Million One Hundred Twenty-five
512 Thousand Dollars (\$1,125,000.00) shall be allocated for
513 distribution to municipal corporations as defined under subsection
514 (1) of this section in the proportion that the number of gallons
515 of gasoline and diesel fuel sold by distributors to consumers and
516 retailers in each such municipality during the preceding fiscal
517 year bears to the total gallons of gasoline and diesel fuel sold
518 by distributors to consumers and retailers in municipalities
519 statewide during the preceding fiscal year. The Department of
520 Revenue shall require all distributors of gasoline and diesel fuel
521 to report to the department monthly the total number of gallons of
522 gasoline and diesel fuel sold by them to consumers and retailers
523 in each municipality during the preceding month. The Department
524 of Revenue shall have the authority to promulgate such rules and
525 regulations as is necessary to determine the number of gallons of
526 gasoline and diesel fuel sold by distributors to consumers and
527 retailers in each municipality. In determining the percentage
528 allocation of funds under this subsection for the fiscal year
529 beginning July 1, 1987, and ending June 30, 1988, the Department
530 of Revenue may consider gallons of gasoline and diesel fuel sold



531 for a period of less than one (1) fiscal year. For the purposes
532 of this subsection, the term "fiscal year" means the fiscal year
533 beginning July 1 of a year.

534 (3) On or before September 15, 1987, and on or before the
535 fifteenth day of each succeeding month, until the date specified
536 in Section 65-39-35, the proceeds derived from contractors' taxes
537 levied under Section 27-65-21 on contracts for the construction or
538 reconstruction of highways designated under the highway program
539 created under Section 65-3-97 shall, except as otherwise provided
540 in Section 31-17-127, be deposited into the State Treasury to the
541 credit of the State Highway Fund to be used to fund that highway
542 program. The Mississippi Department of Transportation shall
543 provide to the Department of Revenue such information as is
544 necessary to determine the amount of proceeds to be distributed
545 under this subsection.

546 (4) On or before August 15, 1994, and on or before the
547 fifteenth day of each succeeding month through July 15, 1999, from
548 the proceeds of gasoline, diesel fuel or kerosene taxes as
549 provided in Section 27-5-101(a)(ii)1, Four Million Dollars
550 (\$4,000,000.00) shall be deposited in the State Treasury to the
551 credit of a special fund designated as the "State Aid Road Fund,"
552 created by Section 65-9-17. On or before August 15, 1999, and on
553 or before the fifteenth day of each succeeding month, from the
554 total amount of the proceeds of gasoline, diesel fuel or kerosene
555 taxes apportioned by Section 27-5-101(a)(ii)1, Four Million



556 Dollars (\$4,000,000.00) or an amount equal to twenty-three and
557 one-fourth percent (23-1/4%) of those funds, whichever is the
558 greater amount, shall be deposited in the State Treasury to the
559 credit of the "State Aid Road Fund," created by Section 65-9-17.
560 Those funds shall be pledged to pay the principal of and interest
561 on state aid road bonds heretofore issued under Sections 19-9-51
562 through 19-9-77, in lieu of and in substitution for the funds
563 previously allocated to counties under this section. Those funds
564 may not be pledged for the payment of any state aid road bonds
565 issued after April 1, 1981; however, this prohibition against the
566 pledging of any such funds for the payment of bonds shall not
567 apply to any bonds for which intent to issue those bonds has been
568 published for the first time, as provided by law before March 29,
569 1981. From the amount of taxes paid into the special fund under
570 this subsection and subsection (9) of this section, there shall be
571 first deducted and paid the amount necessary to pay the expenses
572 of the Office of State Aid Road Construction, as authorized by the
573 Legislature for all other general and special fund agencies. The
574 remainder of the fund shall be allocated monthly to the several
575 counties in accordance with the following formula:

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

578 (b) One-third (1/3) shall be allocated to counties
579 based on the proportion that the total number of rural road miles



580 in a county bears to the total number of rural road miles in all
581 counties of the state; and

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

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

589 The amount of funds allocated to any county under this
590 subsection for any fiscal year after fiscal year 1994 shall not be
591 less than the amount allocated to the county for fiscal year 1994.

592 Any reference in the general laws of this state or the
593 Mississippi Code of 1972 to Section 27-5-105 shall mean and be
594 construed to refer and apply to subsection (4) of Section
595 27-65-75.

596 (5) One Million Six Hundred Sixty-six Thousand Six Hundred
597 Sixty-six Dollars (\$1,666,666.00) each month shall be paid into
598 the special fund known as the "Educational Facilities Revolving
599 Loan Fund" created and existing under the provisions of Section
600 37-47-24. Those payments into that fund are to be made on the
601 last day of each succeeding month hereafter. This subsection (5)
602 shall stand repealed on July 1, 2023.

603 (6) An amount each month beginning August 15, 1983, through
604 November 15, 1986, as specified in Section 6, Chapter 542, Laws of



605 1983, shall be paid into the special fund known as the
606 Correctional Facilities Construction Fund created in Section 6,
607 Chapter 542, Laws of 1983.

608 (7) On or before August 15, 1992, and each succeeding month
609 thereafter through July 15, 2000, two and two hundred sixty-six
610 one-thousandths percent (2.266%) of the total sales tax revenue
611 collected during the preceding month under the provisions of this
612 chapter, except that collected under the provisions of Section
613 27-65-17(2), shall be deposited by the department into the School
614 Ad Valorem Tax Reduction Fund created under Section 37-61-35. On
615 or before August 15, 2000, and each succeeding month thereafter,
616 two and two hundred sixty-six one-thousandths percent (2.266%) of
617 the total sales tax revenue collected during the preceding month
618 under the provisions of this chapter, except that collected under
619 the provisions of Section 27-65-17(2), shall be deposited into the
620 School Ad Valorem Tax Reduction Fund created under Section
621 37-61-35 until such time that the total amount deposited into the
622 fund during a fiscal year equals Forty-two Million Dollars
623 (\$42,000,000.00). Thereafter, the amounts diverted under this
624 subsection (7) during the fiscal year in excess of Forty-two
625 Million Dollars (\$42,000,000.00) shall be deposited into the
626 Education Enhancement Fund created under Section 37-61-33 for
627 appropriation by the Legislature as other education needs and
628 shall not be subject to the percentage appropriation requirements
629 set forth in Section 37-61-33.



630 (8) On or before August 15, 1992, and each succeeding month
631 thereafter, nine and seventy-three one-thousandths percent
632 (9.073%) of the total sales tax revenue collected during the
633 preceding month under the provisions of this chapter, except that
634 collected under the provisions of Section 27-65-17(2), shall be
635 deposited into the Education Enhancement Fund created under
636 Section 37-61-33.

637 (9) On or before August 15, 1994, and each succeeding month
638 thereafter, from the revenue collected under this chapter during
639 the preceding month, Two Hundred Fifty Thousand Dollars
640 (\$250,000.00) shall be paid into the State Aid Road Fund.

641 (10) On or before August 15, 1994, and each succeeding month
642 thereafter through August 15, 1995, from the revenue collected
643 under this chapter during the preceding month, Two Million Dollars
644 (\$2,000,000.00) shall be deposited into the Motor Vehicle Ad
645 Valorem Tax Reduction Fund established in Section 27-51-105.

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



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

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

672 (14) On or before August 15, 1998, and each succeeding month
673 thereafter through July 15, 2005, that portion of the avails of
674 the tax imposed in Section 27-65-23 that is derived from sales by
675 cotton compresses or cotton warehouses and that would otherwise be
676 paid into the General Fund shall be deposited in an amount not to
677 exceed Two Million Dollars (\$2,000,000.00) into the special fund
678 created under Section 69-37-39. On or before August 15, 2007, and
679 each succeeding month thereafter through July 15, 2010, that



680 portion of the avails of the tax imposed in Section 27-65-23 that
681 is derived from sales by cotton compresses or cotton warehouses
682 and that would otherwise be paid into the General Fund shall be
683 deposited in an amount not to exceed Two Million Dollars
684 (\$2,000,000.00) into the special fund created under Section
685 69-37-39 until all debts or other obligations incurred by the
686 Certified Cotton Growers Organization under the Mississippi Boll
687 Weevil Management Act before January 1, 2007, are satisfied in
688 full. On or before August 15, 2010, and each succeeding month
689 thereafter through July 15, 2011, fifty percent (50%) of that
690 portion of the avails of the tax imposed in Section 27-65-23 that
691 is derived from sales by cotton compresses or cotton warehouses
692 and that would otherwise be paid into the General Fund shall be
693 deposited into the special fund created under Section 69-37-39
694 until such time that the total amount deposited into the fund
695 during a fiscal year equals One Million Dollars (\$1,000,000.00).
696 On or before August 15, 2011, and each succeeding month
697 thereafter, that portion of the avails of the tax imposed in
698 Section 27-65-23 that is derived from sales by cotton compresses
699 or cotton warehouses and that would otherwise be paid into the
700 General Fund shall be deposited into the special fund created
701 under Section 69-37-39 until such time that the total amount
702 deposited into the fund during a fiscal year equals One Million
703 Dollars (\$1,000,000.00).



704 (15) Notwithstanding any other provision of this section to
705 the contrary, on or before September 15, 2000, and each succeeding
706 month thereafter, the sales tax revenue collected during the
707 preceding month under the provisions of Section
708 27-65-19(1)(d)(i)2, and 27-65-19(1)(d)(i)3 shall be deposited,
709 without diversion, into the Telecommunications Ad Valorem Tax
710 Reduction Fund established in Section 27-38-7.

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

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

726 (17) Notwithstanding any other provision of this section to
727 the contrary, on or before April 15, 2002, and each succeeding
728 month thereafter, the sales tax revenue collected during the



729 preceding month under Section 27-65-23 on sales of parking
730 services of parking garages and lots at airports shall be
731 deposited, without diversion, into the special fund created under
732 Section 27-5-101(d).

733 (18) [Repealed]

734 (19) (a) On or before August 15, 2005, and each succeeding
735 month thereafter, the sales tax revenue collected during the
736 preceding month under the provisions of this chapter on the gross
737 proceeds of sales of a business enterprise located within a
738 redevelopment project area under the provisions of Sections
739 57-91-1 through 57-91-11, and the revenue collected on the gross
740 proceeds of sales from sales made to a business enterprise located
741 in a redevelopment project area under the provisions of Sections
742 57-91-1 through 57-91-11 (provided that such sales made to a
743 business enterprise are made on the premises of the business
744 enterprise), shall, except as otherwise provided in this
745 subsection (19), be deposited, after all diversions, into the
746 Redevelopment Project Incentive Fund as created in Section
747 57-91-9.

748 (b) For a municipality participating in the Economic
749 Redevelopment Act created in Sections 57-91-1 through 57-91-11,
750 the diversion provided for in subsection (1) of this section
751 attributable to the gross proceeds of sales of a business
752 enterprise located within a redevelopment project area under the
753 provisions of Sections 57-91-1 through 57-91-11, and attributable



754 to the gross proceeds of sales from sales made to a business
755 enterprise located in a redevelopment project area under the
756 provisions of Sections 57-91-1 through 57-91-11 (provided that
757 such sales made to a business enterprise are made on the premises
758 of the business enterprise), shall be deposited into the
759 Redevelopment Project Incentive Fund as created in Section
760 57-91-9, as follows:

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

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

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

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



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

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

788 (21) (a) On or before April 15, 2007, and each succeeding
789 month thereafter through June 15, 2013, One Hundred Fifty Thousand
790 Dollars (\$150,000.00) of the sales tax revenue collected during
791 the preceding month under the provisions of this chapter shall be
792 deposited into the MMEIA Tax Incentive Fund created in Section
793 57-101-3.

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

800 (22) Notwithstanding any other provision of this section to
801 the contrary, on or before August 15, 2009, and each succeeding



802 month thereafter, the sales tax revenue collected during the
803 preceding month under the provisions of Section 27-65-201 shall be
804 deposited, without diversion, into the Motor Vehicle Ad Valorem
805 Tax Reduction Fund established in Section 27-51-105.

806 (23) (a) On or before August 15, 2019, and each month
807 thereafter through July 15, 2020, one percent (1%) of the total
808 sales tax revenue collected during the preceding month from
809 restaurants and hotels shall be allocated for distribution to the
810 Mississippi Development Authority Tourism Advertising Fund
811 established under Section 57-1-64, to be used exclusively for the
812 purpose stated therein. On or before August 15, 2020, and each
813 month thereafter through July 15, 2021, two percent (2%) of the
814 total sales tax revenue collected during the preceding month from
815 restaurants and hotels shall be allocated for distribution to the
816 Mississippi Development Authority Tourism Advertising Fund
817 established under Section 57-1-64, to be used exclusively for the
818 purpose stated therein. On or before August 15, 2021, and each
819 month thereafter, three percent (3%) of the total sales tax
820 revenue collected during the preceding month from restaurants and
821 hotels shall be allocated for distribution to the Mississippi
822 Development Authority Tourism Advertising Fund established under
823 Section 57-1-64, to be used exclusively for the purpose stated
824 therein. The revenue diverted pursuant to this subsection shall
825 not be available for expenditure until February 1, 2020.



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

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

835 (25) (a) It shall be the duty of the municipal officials of
836 any municipality that expands its limits, or of any community that
837 incorporates as a municipality, to notify the commissioner of that
838 action thirty (30) days before the effective date. Failure to so
839 notify the commissioner shall cause the municipality to forfeit
840 the revenue that it would have been entitled to receive during
841 this period of time when the commissioner had no knowledge of the
842 action.

843 (b) (i) Except as otherwise provided in subparagraph
844 (ii) of this paragraph, if any funds have been erroneously
845 disbursed to any municipality or any overpayment of tax is
846 recovered by the taxpayer, the commissioner may make correction
847 and adjust the error or overpayment with the municipality by
848 withholding the necessary funds from any later payment to be made
849 to the municipality.



850 (ii) Subject to the provisions of Sections
851 27-65-51 and 27-65-53, if any funds have been erroneously
852 disbursed to a municipality under subsection (1) of this section
853 for a period of three (3) years or more, the maximum amount that
854 may be recovered or withheld from the municipality is the total
855 amount of funds erroneously disbursed for a period of three (3)
856 years beginning with the date of the first erroneous disbursement.
857 However, if during such period, a municipality provides written
858 notice to the Department of Revenue indicating the erroneous
859 disbursement of funds, then the maximum amount that may be
860 recovered or withheld from the municipality is the total amount of
861 funds erroneously disbursed for a period of one (1) year beginning
862 with the date of the first erroneous disbursement.

863 **SECTION 12.** If any section, paragraph, sentence, clause,
864 phrase or any part of this act is declared to be unconstitutional
865 or void, or if for any reason is declared to be invalid or of no
866 effect, the remaining sections, paragraphs, sentences, clauses,
867 phrases or parts of this act shall be in no manner affected
868 thereby but shall remain in full force and effect.

869 **SECTION 13.** This act shall take effect and be in force from
870 and after July 1, 2023.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO CREATE INFERIOR COURTS IN THE CAPITOL COMPLEX
2 IMPROVEMENT DISTRICT (CCID) TO HEAR CERTAIN CRIMINAL AND CIVIL



3 MATTERS OCCURRING OR ACCRUING IN THE BOUNDARIES OF THE CAPITOL
4 COMPLEX IMPROVEMENT DISTRICT; TO PROVIDE JUDGES FOR THE CCID
5 INFERIOR COURTS THAT SHALL POSSESS THE SAME QUALIFICATIONS AS
6 CIRCUIT AND CHANCERY COURT JUDGES; TO PROVIDE FOR THE APPOINTMENT
7 OF THE JUDGES BY THE CHIEF JUSTICE OF THE MISSISSIPPI SUPREME
8 COURT; TO PROVIDE FOR THE SALARY AND OPERATING ALLOWANCE OF THE
9 JUDGES; TO REQUIRE THE ATTORNEY GENERAL TO APPOINT ATTORNEYS TO
10 PROSECUTE CASES WITHIN THE JURISDICTION OF THE CCID INFERIOR
11 COURTS; TO REQUIRE THE STATE DEFENDER TO APPOINT PUBLIC DEFENDERS
12 FOR DEFENDANTS WHO FALL WITHIN THE JURISDICTION OF THE CCID
13 INFERIOR COURTS; TO PROVIDE FOR THE APPOINTMENT OF A CLERK AND
14 DEPUTY CLERK FOR THE CCID INFERIOR COURTS; TO REQUIRE THE CLERK TO
15 MAINTAIN A JURY BOX; TO DESCRIBE THE JURISDICTION OF THE CCID
16 INFERIOR COURTS AS ALL MATTERS THAT OCCUR OR ACCRUE WITHIN THE
17 BOUNDARIES OF THE CAPITAL COMPLEX IMPROVEMENT DISTRICT; TO PROVIDE
18 FOR THE POWERS OF THE JUDGES OF THE COURTS; TO AUTHORIZE
19 JURISDICTION FOR CERTAIN ACTIONS THAT OCCUR OR ACCRUE WITHIN THE
20 CCID INFERIOR COURTS; TO AMEND SECTION 29-5-203, MISSISSIPPI CODE
21 OF 1972, TO REVISE THE BOUNDARIES OF THE CAPITOL COMPLEX
22 IMPROVEMENT DISTRICT, FOR PURPOSES OF AMENDMENT; TO AMEND SECTION
23 27-65-75, MISSISSIPPI CODE OF 1972, TO REVISE THE DISTRIBUTION OF
24 STATE SALES TAX REVENUE FOR THE CCID; AND FOR RELATED PURPOSES.

