

By: Representative Roberson

To: Ways and Means

HOUSE BILL NO. 396
(As Passed the House)

1 AN ACT TO AMEND SECTION 57-26-5, MISSISSIPPI CODE OF 1972, TO
2 EXTEND THE AUTHORITY OF THE MISSISSIPPI DEVELOPMENT AUTHORITY TO
3 ISSUE A CERTIFICATE DESIGNATING AN ENTITY AS AN APPROVED
4 PARTICIPANT AND AUTHORIZING THE APPROVED PARTICIPANT TO
5 PARTICIPATE IN THE TOURISM PROJECT SALES TAX INCENTIVE PROGRAM;
6 AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 57-26-5, Mississippi Code of 1972, is
9 amended as follows:

10 57-26-5. (1) The MDA shall develop, implement and
11 administer the incentive program authorized in Sections 57-26-1
12 through * * * this section and shall promulgate rules and
13 regulations necessary for the development, implementation and
14 administration of such program.

15 (2) A person, corporation or other entity desiring to
16 participate in the incentive program authorized in Sections
17 57-26-1 through * * * this section must submit an application and
18 an application fee in the amount of Five Thousand Dollars
19 (\$5,000.00) to the MDA. Such application must contain: (a) plans
20 for the proposed tourism project; (b) a detailed description of



21 the proposed tourism project; (c) the method of financing the
22 proposed tourism project and the terms of such financing; (d) an
23 independent study that identifies the number of out-of-state
24 visitors anticipated to visit the project and the ratio of
25 out-of-state visitors to in-state visitors; and (e) any other
26 information required by the MDA. The Executive Director of the
27 MDA shall review the application and determine if it qualifies as
28 a tourism project under this section and under the rules and
29 regulations promulgated pursuant to this section. If the
30 executive director determines the proposed tourism project
31 qualifies as a tourism project under this section and under the
32 rules and regulations promulgated pursuant to this section, * * *
33 the director shall issue a certificate to the person, corporation
34 or other entity designating such person, corporation or other
35 entity as an approved participant and authorizing the approved
36 participant to participate in the incentive program provided for
37 in Sections 57-26-1 through * * * this section. No certificate
38 designating an entity as an approved participant and authorizing
39 the approved participant to participate in the incentive program
40 shall be issued from and after July 1, 2014, for tourism projects
41 that are cultural retail attractions, or from and after July
42 1, * * * 2026, for other tourism projects. For tourism projects
43 that are cultural retail attractions, no such issued certificate
44 shall be altered or extended after the date last approved as of
45 July 1, 2020.



46 (3) The MDA shall cause a cost-benefit analysis of the
47 tourism project to be performed by a state institution of higher
48 learning, the * * * University Research Center or some other
49 entity approved by the MDA.

50 **SECTION 2.** This act shall take effect and be in force from
51 and after July 1, 2023, and shall stand repealed on June 30, 2023.

