

By: Representative Lamar

To: Ways and Means

HOUSE BILL NO. 1192

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 57-26-5 and shall promulgate rules and regulations
13 necessary for the development, implementation and administration
14 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 57-26-5 must submit an application and an
18 application fee in the amount of Five Thousand Dollars (\$5,000.00)
19 to the MDA. Such application must contain (a) plans for the
20 proposed tourism project; (b) a detailed description of the



21 proposed tourism project; (c) the method of financing the proposed
22 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, he
33 shall issue a certificate to the person, corporation or other
34 entity designating such person, corporation or other entity as an
35 approved participant and authorizing the approved participant to
36 participate in the incentive program provided for in Sections
37 57-26-1 through 57-26-5. No certificate designating an entity as
38 an approved participant and authorizing the approved participant
39 to participate in the incentive program shall be issued from and
40 after July 1, 2014, for tourism projects that are cultural retail
41 attractions, or from and after July 1, * * * 2026, for other
42 tourism projects. For tourism projects that are cultural retail
43 attractions, no such issued certificate shall be altered or
44 extended after the date last approved as of July 1, 2020.



45 (3) The MDA shall cause a cost_benefit analysis of the
46 tourism project to be performed by a state institution of higher
47 learning, the university research center or some other entity
48 approved by the MDA.

49 **SECTION 2.** This act shall take effect and be in force from
50 and after July 1, 2023.

