

By: Senator(s) Sojourner, McDaniel, Chism

To: Finance

SENATE BILL NO. 2926

1 AN ACT TO AMEND SECTION 27-19-21, MISSISSIPPI CODE OF 1972,  
 2 TO EXCLUDE VEHICLES INCAPABLE OF EXCEEDING THE SPEED OF 35 MILES  
 3 PER HOUR FROM THE DEFINITION OF "ELECTRIC VEHICLE" FOR PURPOSES OF  
 4 THE ELECTRIC VEHICLE TAX, AND TO REFUND TAXES COLLECTED ON SUCH  
 5 VEHICLES; TO AMEND SECTION 27-19-23, MISSISSIPPI CODE OF 1972, TO  
 6 EXCLUDE VEHICLES INCAPABLE OF EXCEEDING THE SPEED OF 35 MILES PER  
 7 HOUR FROM THE DEFINITION OF "HYBRID VEHICLE" FOR PURPOSES OF THE  
 8 HYBRID VEHICLE TAX, AND TO REFUND TAXES COLLECTED ON SUCH  
 9 VEHICLES; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** Section 27-19-21, Mississippi Code of 1972, is  
 12 amended as follows:

13 27-19-21. (1) For the purposes of this section, the term  
 14 "electric vehicle" means a vehicle that is powered solely by an  
 15 electric motor drawing current from rechargeable batteries, fuel  
 16 cells, or other portable sources of electrical current, is  
 17 manufactured primarily for use on public streets, roads and  
 18 highways, and is required to have a license tag under Section  
 19 27-19-1 et seq., for operation on public streets, roads and  
 20 highways. The definition in this subsection does not include  
 21 motor vehicles that are incapable of exceeding the speed of



22 thirty-five (35) miles per hour, and any taxes collected on such  
23 vehicles pursuant to this section shall be refunded.

24 (2) (a) Subject to the provisions of this section, there is  
25 imposed an annual tax on each electric vehicle, which shall be in  
26 addition to any other taxes for which the vehicle is liable. The  
27 tax shall be paid to the county tax collector at the same time and  
28 in the same manner as the annual highway privilege tax is paid.  
29 The amount of the tax shall be One Hundred Fifty Dollars  
30 (\$150.00). The tax shall not be imposed on an electric vehicle  
31 that is exempt from ad valorem taxation under Sections 27-19-53  
32 and 27-51-41(2)(j).

33 (b) Beginning July 1, 2021, and each succeeding July 1  
34 thereafter, the rate of the tax imposed under this section and in  
35 effect at the end of the preceding state fiscal year shall be  
36 adjusted by increasing the tax by a percentage amount equal to the  
37 United States inflation rate for the previous calendar year ending  
38 on December 31 as certified by the Department of Finance and  
39 Administration. The United States inflation rate for a calendar  
40 year shall be the Consumer Price Index for the calendar year for  
41 urban consumers as calculated by the Bureau of Labor Statistics of  
42 the United States Department of Labor. In adjusting the amount of  
43 the tax, amounts equal to or greater than Fifty Cents (50¢) shall  
44 be rounded to the next highest whole dollar.

45 (3) The tax collector shall have a special designation for  
46 electric vehicles in the vehicle records of the tax collector's



47 office so that the owners of electric vehicles will be provided  
48 with the proper forms for paying the tax imposed by this section.

49 (4) The tax collector shall remit the proceeds of the tax  
50 collected under this section to the Department of Revenue, and the  
51 department shall apportion the proceeds of the tax among the  
52 various purposes specified in Section 27-5-101 for gasoline and  
53 diesel fuel taxes in the same proportion that those taxes were  
54 apportioned for those purposes during the previous state fiscal  
55 year and such funds shall be used solely for the repair and  
56 maintenance of roads, streets and bridges.

57 (5) The Department of Revenue shall have all of the power  
58 and authority that it has for enforcement of the motor vehicle  
59 privilege tax laws (Section 27-19-1 et seq.) to enforce the  
60 provisions of this section. The Commissioner of Revenue may adopt  
61 any rules or regulations that he deems necessary for the proper  
62 administration of this section.

63 **SECTION 2.** Section 27-19-23, Mississippi Code of 1972, is  
64 amended as follows:

65 27-19-23. (1) For the purposes of this section, the term  
66 "hybrid vehicle" means a vehicle that utilizes more than one (1)  
67 form of onboard energy to achieve propulsion, is manufactured  
68 primarily for use on public streets, roads and highways, and is  
69 required to have a license tag under Section 27-19-1 et seq., for  
70 operation on public streets, roads and highways. The definition  
71 in this subsection does not include motor vehicles that are



72 incapable of exceeding the speed of thirty-five (35) miles per  
73 hour, and any taxes collected on such vehicles pursuant to this  
74 section shall be refunded.

75 (2) (a) Subject to the provisions of this section, there is  
76 imposed an annual tax on each hybrid vehicle, which shall be in  
77 addition to any other taxes for which the vehicle is liable. The  
78 tax shall be paid to the county tax collector at the same time and  
79 in the same manner as the annual highway privilege tax is paid.  
80 The amount of the tax shall be Seventy-five Dollars (\$75.00). The  
81 tax shall not be imposed on a hybrid vehicle that is exempt from  
82 ad valorem taxation under Sections 27-19-53 and 27-51-41(2) (j).

83 (b) Beginning July 1, 2021, and each succeeding July 1  
84 thereafter, the rate of the tax imposed under this section and in  
85 effect at the end of the preceding state fiscal year shall be  
86 adjusted by increasing the tax by a percentage amount equal to the  
87 United States inflation rate for the previous calendar year ending  
88 on December 31 as certified by the Department of Finance and  
89 Administration. The United States inflation rate for a calendar  
90 year shall be the Consumer Price Index for the calendar year for  
91 urban consumers as calculated by the Bureau of Labor Statistics of  
92 the United States Department of Labor. In adjusting the amount of  
93 the tax, amounts equal to or greater than Fifty Cents (50¢) shall  
94 be rounded to the next highest whole dollar.

95 (3) The tax collector shall have a special designation for  
96 hybrid vehicles in the vehicle records of the tax collector's



97 office so that the owners of hybrid vehicles will be provided with  
98 the proper forms for paying the tax imposed by this section.

99 (4) The tax collector shall remit the proceeds of the tax  
100 collected under this section to the Department of Revenue, and the  
101 department shall apportion the proceeds of the tax among the  
102 various purposes specified in Section 27-5-101 for gasoline and  
103 diesel fuel taxes in the same proportion that those taxes were  
104 apportioned for those purposes during the previous state fiscal  
105 year and such funds shall be used solely for the repair and  
106 maintenance of roads, streets and bridges.

107 (5) The Department of Revenue shall have all of the power  
108 and authority that it has for enforcement of the motor vehicle  
109 privilege tax laws (Section 27-19-1 et seq.) to enforce the  
110 provisions of this section. The Commissioner of Revenue may adopt  
111 any rules or regulations that he deems necessary for the proper  
112 administration of this section.

113 **SECTION 3.** This act shall take effect and be in force from  
114 and after July 1, 2023.

