

**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 River \* \* \*  
306 until it reaches a point on such bank determined by extending  
307 the \* \* \* north curb line of County Line Road until it meets the  
308 bank of the Pearl River;



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

312           \* \* \*

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

315           • Then west along the north curb line of Hartfield Street to  
316 the west curb line of Oxford Avenue;

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

319           • Then west along the north curb line of Mitchell Street and  
320 then Stonewall Street until it reaches the west curb line of  
321 Livingston Road;

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

324           • Then east along the south curb line of Woodrow Wilson  
325 Drive to the west curb line of Bailey Avenue (which becomes  
326 Gallatin Street);

327           • Then south along the west curb line of Bailey Avenue and  
328 then Gallatin Street until it reaches the north curb line of \* \* \*  
329 West Monument Street;

330           • Then west and south along the north curb line of \* \* \*  
331 West Monument Street until it intersects with the north curb line  
332 of Robinson Road;



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

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

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

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

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

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

346           • Then east along the south curb line of Florence Avenue  
347 until it reaches the east curb line of University Blvd. (Terry  
348 Road);

349           • Then \* \* \* south along the east curb line of University  
350 Blvd. (Terry Road) until it reaches the south curb line of \* \* \*  
351 U.S. Highway 80;

352           • Then east along the south curb line of \* \* \* U.S. Highway  
353 80 until it reaches the western edge of Interstate 55;

354           \* \* \*

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



357           • Then east along the south curb line of High Street and  
358 extending such line to the Pearl River and the point of the  
359 beginning.

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

362           27-65-75. On or before the fifteenth day of each month, the  
363 revenue collected under the provisions of this chapter during the  
364 preceding month shall be paid and distributed as follows:

365           (1) (a) On or before August 15, 1992, and each succeeding  
366 month thereafter through July 15, 1993, eighteen percent (18%) of  
367 the total sales tax revenue collected during the preceding month  
368 under the provisions of this chapter, except that collected under  
369 the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on  
370 business activities within a municipal corporation shall be  
371 allocated for distribution to the municipality and paid to the  
372 municipal corporation. Except as otherwise provided in this  
373 paragraph (a), on or before August 15, 1993, and each succeeding  
374 month thereafter, eighteen and one-half percent (18-1/2%) of the  
375 total sales tax revenue collected during the preceding month under  
376 the provisions of this chapter, except that collected under the  
377 provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and  
378 27-65-24, on business activities within a municipal corporation  
379 shall be allocated for distribution to the municipality and paid  
380 to the municipal corporation. However, in the event the State  
381 Auditor issues a certificate of noncompliance pursuant to Section



382 21-35-31, the Department of Revenue shall withhold ten percent  
383 (10%) of the allocations and payments to the municipality that  
384 would otherwise be payable to the municipality under this  
385 paragraph (a) until such time that the department receives written  
386 notice of the cancellation of a certificate of noncompliance from  
387 the State Auditor.

388 A municipal corporation, for the purpose of distributing the  
389 tax under this subsection, shall mean and include all incorporated  
390 cities, towns and villages.

391 Monies allocated for distribution and credited to a municipal  
392 corporation under this paragraph may be pledged as security for a  
393 loan if the distribution received by the municipal corporation is  
394 otherwise authorized or required by law to be pledged as security  
395 for such a loan.

396 In any county having a county seat that is not an  
397 incorporated municipality, the distribution provided under this  
398 subsection shall be made as though the county seat was an  
399 incorporated municipality; however, the distribution to the  
400 municipality shall be paid to the county treasury in which the  
401 municipality is located, and those funds shall be used for road,  
402 bridge and street construction or maintenance in the county.

403 (b) On or before August 15, 2006, and each succeeding  
404 month thereafter, eighteen and one-half percent (18-1/2%) of the  
405 total sales tax revenue collected during the preceding month under  
406 the provisions of this chapter, except that collected under the





407 provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on  
408 business activities on the campus of a state institution of higher  
409 learning or community or junior college whose campus is not  
410 located within the corporate limits of a municipality, shall be  
411 allocated for distribution to the state institution of higher  
412 learning or community or junior college and paid to the state  
413 institution of higher learning or community or junior college.

414 (c) On or before August 15, 2018, and each succeeding  
415 month thereafter until August 14, 2019, two percent (2%) of the  
416 total sales tax revenue collected during the preceding month under  
417 the provisions of this chapter, except that collected under the  
418 provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and  
419 27-65-24, on business activities within the corporate limits of  
420 the City of Jackson, Mississippi, shall be deposited into the  
421 Capitol Complex Improvement District Project Fund created in  
422 Section 29-5-215. On or before August 15, 2019, and each  
423 succeeding month thereafter until August 14, 2020, four percent  
424 (4%) of the total sales tax revenue collected during the preceding  
425 month under the provisions of this chapter, except that collected  
426 under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21  
427 and 27-65-24, on business activities within the corporate limits  
428 of the City of Jackson, Mississippi, shall be deposited into the  
429 Capitol Complex Improvement District Project Fund created in  
430 Section 29-5-215. On or before August 15, 2020, and each  
431 succeeding month thereafter through July 15, 2023, six percent



432 (6%) of the total sales tax revenue collected during the preceding  
433 month under the provisions of this chapter, except that collected  
434 under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21  
435 and 27-65-24, on business activities within the corporate limits  
436 of the City of Jackson, Mississippi, shall be deposited into the  
437 Capitol Complex Improvement District Project Fund created in  
438 Section 29-5-215. On or before August 15, 2023, and each  
439 succeeding month thereafter, twelve percent (12%) of the total  
440 sales tax revenue collected during the preceding month under the  
441 provisions of this chapter, except that collected under the  
442 provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and  
443 27-65-24, on business activities within the corporate limits of  
444 the City of Jackson, Mississippi, shall be deposited into the  
445 Capitol Complex Improvement District Project Fund created in  
446 Section 29-5-215.

447 (d) (i) On or before the fifteenth day of the month  
448 that the diversion authorized by this section begins, and each  
449 succeeding month thereafter, eighteen and one-half percent  
450 (18-1/2%) of the total sales tax revenue collected during the  
451 preceding month under the provisions of this chapter, except that  
452 collected under the provisions of Sections 27-65-15, 27-65-19(3)  
453 and 27-65-21, on business activities within a redevelopment  
454 project area developed under a redevelopment plan adopted under  
455 the Tax Increment Financing Act (Section 21-45-1 et seq.) shall be



456 allocated for distribution to the county in which the project area  
457 is located if:

458 1. The county:

459 a. Borders on the Mississippi Sound and  
460 the State of Alabama, or

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

464 2. The county has issued bonds under Section  
465 21-45-9 to finance all or a portion of a redevelopment project in  
466 the redevelopment project area;

467 3. Any debt service for the indebtedness  
468 incurred is outstanding; and

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

472 (ii) Before any sales tax revenue may be allocated  
473 for distribution to a county under this paragraph, the county  
474 shall certify to the Department of Revenue that the requirements  
475 of this paragraph have been met, the amount of bonded indebtedness  
476 that has been incurred by the county for the redevelopment project  
477 and the expected date the indebtedness incurred by the county will  
478 be satisfied.

479 (iii) The diversion of sales tax revenue  
480 authorized by this paragraph shall begin the month following the



481 month in which the Department of Revenue determines that the  
482 requirements of this paragraph have been met. The diversion shall  
483 end the month the indebtedness incurred by the county is  
484 satisfied. All revenue received by the county under this  
485 paragraph shall be deposited in the fund required to be created in  
486 the tax increment financing plan under Section 21-45-11 and be  
487 utilized solely to satisfy the indebtedness incurred by the  
488 county.

489 (2) On or before September 15, 1987, and each succeeding  
490 month thereafter, from the revenue collected under this chapter  
491 during the preceding month, One Million One Hundred Twenty-five  
492 Thousand Dollars (\$1,125,000.00) shall be allocated for  
493 distribution to municipal corporations as defined under subsection  
494 (1) of this section in the proportion that the number of gallons  
495 of gasoline and diesel fuel sold by distributors to consumers and  
496 retailers in each such municipality during the preceding fiscal  
497 year bears to the total gallons of gasoline and diesel fuel sold  
498 by distributors to consumers and retailers in municipalities  
499 statewide during the preceding fiscal year. The Department of  
500 Revenue shall require all distributors of gasoline and diesel fuel  
501 to report to the department monthly the total number of gallons of  
502 gasoline and diesel fuel sold by them to consumers and retailers  
503 in each municipality during the preceding month. The Department  
504 of Revenue shall have the authority to promulgate such rules and  
505 regulations as is necessary to determine the number of gallons of



506 gasoline and diesel fuel sold by distributors to consumers and  
507 retailers in each municipality. In determining the percentage  
508 allocation of funds under this subsection for the fiscal year  
509 beginning July 1, 1987, and ending June 30, 1988, the Department  
510 of Revenue may consider gallons of gasoline and diesel fuel sold  
511 for a period of less than one (1) fiscal year. For the purposes  
512 of this subsection, the term "fiscal year" means the fiscal year  
513 beginning July 1 of a year.

514 (3) On or before September 15, 1987, and on or before the  
515 fifteenth day of each succeeding month, until the date specified  
516 in Section 65-39-35, the proceeds derived from contractors' taxes  
517 levied under Section 27-65-21 on contracts for the construction or  
518 reconstruction of highways designated under the highway program  
519 created under Section 65-3-97 shall, except as otherwise provided  
520 in Section 31-17-127, be deposited into the State Treasury to the  
521 credit of the State Highway Fund to be used to fund that highway  
522 program. The Mississippi Department of Transportation shall  
523 provide to the Department of Revenue such information as is  
524 necessary to determine the amount of proceeds to be distributed  
525 under this subsection.

526 (4) On or before August 15, 1994, and on or before the  
527 fifteenth day of each succeeding month through July 15, 1999, from  
528 the proceeds of gasoline, diesel fuel or kerosene taxes as  
529 provided in Section 27-5-101(a)(ii)1, Four Million Dollars  
530 (\$4,000,000.00) shall be deposited in the State Treasury to the



531 credit of a special fund designated as the "State Aid Road Fund,"  
532 created by Section 65-9-17. On or before August 15, 1999, and on  
533 or before the fifteenth day of each succeeding month, from the  
534 total amount of the proceeds of gasoline, diesel fuel or kerosene  
535 taxes apportioned by Section 27-5-101(a)(ii)1, Four Million  
536 Dollars (\$4,000,000.00) or an amount equal to twenty-three and  
537 one-fourth percent (23-1/4%) of those funds, whichever is the  
538 greater amount, shall be deposited in the State Treasury to the  
539 credit of the "State Aid Road Fund," created by Section 65-9-17.  
540 Those funds shall be pledged to pay the principal of and interest  
541 on state aid road bonds heretofore issued under Sections 19-9-51  
542 through 19-9-77, in lieu of and in substitution for the funds  
543 previously allocated to counties under this section. Those funds  
544 may not be pledged for the payment of any state aid road bonds  
545 issued after April 1, 1981; however, this prohibition against the  
546 pledging of any such funds for the payment of bonds shall not  
547 apply to any bonds for which intent to issue those bonds has been  
548 published for the first time, as provided by law before March 29,  
549 1981. From the amount of taxes paid into the special fund under  
550 this subsection and subsection (9) of this section, there shall be  
551 first deducted and paid the amount necessary to pay the expenses  
552 of the Office of State Aid Road Construction, as authorized by the  
553 Legislature for all other general and special fund agencies. The  
554 remainder of the fund shall be allocated monthly to the several  
555 counties in accordance with the following formula:



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

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

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

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

569 The amount of funds allocated to any county under this  
570 subsection for any fiscal year after fiscal year 1994 shall not be  
571 less than the amount allocated to the county for fiscal year 1994.

572 Any reference in the general laws of this state or the  
573 Mississippi Code of 1972 to Section 27-5-105 shall mean and be  
574 construed to refer and apply to subsection (4) of Section  
575 27-65-75.

576 (5) One Million Six Hundred Sixty-six Thousand Six Hundred  
577 Sixty-six Dollars (\$1,666,666.00) each month shall be paid into  
578 the special fund known as the "Educational Facilities Revolving  
579 Loan Fund" created and existing under the provisions of Section  
580 37-47-24. Those payments into that fund are to be made on the



581 last day of each succeeding month hereafter. This subsection (5)  
582 shall stand repealed on July 1, 2023.

583 (6) An amount each month beginning August 15, 1983, through  
584 November 15, 1986, as specified in Section 6, Chapter 542, Laws of  
585 1983, shall be paid into the special fund known as the  
586 Correctional Facilities Construction Fund created in Section 6,  
587 Chapter 542, Laws of 1983.

588 (7) On or before August 15, 1992, and each succeeding month  
589 thereafter through July 15, 2000, two and two hundred sixty-six  
590 one-thousandths percent (2.266%) of the total sales tax revenue  
591 collected during the preceding month under the provisions of this  
592 chapter, except that collected under the provisions of Section  
593 27-65-17(2), shall be deposited by the department into the School  
594 Ad Valorem Tax Reduction Fund created under Section 37-61-35. On  
595 or before August 15, 2000, and each succeeding month thereafter,  
596 two and two hundred sixty-six one-thousandths percent (2.266%) of  
597 the total sales tax revenue collected during the preceding month  
598 under the provisions of this chapter, except that collected under  
599 the provisions of Section 27-65-17(2), shall be deposited into the  
600 School Ad Valorem Tax Reduction Fund created under Section  
601 37-61-35 until such time that the total amount deposited into the  
602 fund during a fiscal year equals Forty-two Million Dollars  
603 (\$42,000,000.00). Thereafter, the amounts diverted under this  
604 subsection (7) during the fiscal year in excess of Forty-two  
605 Million Dollars (\$42,000,000.00) shall be deposited into the





606 Education Enhancement Fund created under Section 37-61-33 for  
607 appropriation by the Legislature as other education needs and  
608 shall not be subject to the percentage appropriation requirements  
609 set forth in Section 37-61-33.

610 (8) On or before August 15, 1992, and each succeeding month  
611 thereafter, nine and seventy-three one-thousandths percent  
612 (9.073%) of the total sales tax revenue collected during the  
613 preceding month under the provisions of this chapter, except that  
614 collected under the provisions of Section 27-65-17(2), shall be  
615 deposited into the Education Enhancement Fund created under  
616 Section 37-61-33.

617 (9) On or before August 15, 1994, and each succeeding month  
618 thereafter, from the revenue collected under this chapter during  
619 the preceding month, Two Hundred Fifty Thousand Dollars  
620 (\$250,000.00) shall be paid into the State Aid Road Fund.

621 (10) On or before August 15, 1994, and each succeeding month  
622 thereafter through August 15, 1995, from the revenue collected  
623 under this chapter during the preceding month, Two Million Dollars  
624 (\$2,000,000.00) shall be deposited into the Motor Vehicle Ad  
625 Valorem Tax Reduction Fund established in Section 27-51-105.

626 (11) Notwithstanding any other provision of this section to  
627 the contrary, on or before February 15, 1995, and each succeeding  
628 month thereafter, the sales tax revenue collected during the  
629 preceding month under the provisions of Section 27-65-17(2) and  
630 the corresponding levy in Section 27-65-23 on the rental or lease



631 of private carriers of passengers and light carriers of property  
632 as defined in Section 27-51-101 shall be deposited, without  
633 diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund  
634 established in Section 27-51-105.

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

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

652 (14) On or before August 15, 1998, and each succeeding month  
653 thereafter through July 15, 2005, that portion of the avails of  
654 the tax imposed in Section 27-65-23 that is derived from sales by  
655 cotton compresses or cotton warehouses and that would otherwise be



656 paid into the General Fund shall be deposited in an amount not to  
657 exceed Two Million Dollars (\$2,000,000.00) into the special fund  
658 created under Section 69-37-39. On or before August 15, 2007, and  
659 each succeeding month thereafter through July 15, 2010, that  
660 portion of the avails of the tax imposed in Section 27-65-23 that  
661 is derived from sales by cotton compresses or cotton warehouses  
662 and that would otherwise be paid into the General Fund shall be  
663 deposited in an amount not to exceed Two Million Dollars  
664 (\$2,000,000.00) into the special fund created under Section  
665 69-37-39 until all debts or other obligations incurred by the  
666 Certified Cotton Growers Organization under the Mississippi Boll  
667 Weevil Management Act before January 1, 2007, are satisfied in  
668 full. On or before August 15, 2010, and each succeeding month  
669 thereafter through July 15, 2011, fifty percent (50%) of that  
670 portion of the avails of the tax imposed in Section 27-65-23 that  
671 is derived from sales by cotton compresses or cotton warehouses  
672 and that would otherwise be paid into the General Fund shall be  
673 deposited into the special fund created under Section 69-37-39  
674 until such time that the total amount deposited into the fund  
675 during a fiscal year equals One Million Dollars (\$1,000,000.00).  
676 On or before August 15, 2011, and each succeeding month  
677 thereafter, that portion of the avails of the tax imposed in  
678 Section 27-65-23 that is derived from sales by cotton compresses  
679 or cotton warehouses and that would otherwise be paid into the  
680 General Fund shall be deposited into the special fund created



681 under Section 69-37-39 until such time that the total amount  
682 deposited into the fund during a fiscal year equals One Million  
683 Dollars (\$1,000,000.00).

684 (15) Notwithstanding any other provision of this section to  
685 the contrary, on or before September 15, 2000, and each succeeding  
686 month thereafter, the sales tax revenue collected during the  
687 preceding month under the provisions of Section  
688 27-65-19(1)(d)(i)2, and 27-65-19(1)(d)(i)3 shall be deposited,  
689 without diversion, into the Telecommunications Ad Valorem Tax  
690 Reduction Fund established in Section 27-38-7.

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

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



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

713           (18) [Repealed]

714           (19) (a) On or before August 15, 2005, and each succeeding  
715 month thereafter, the sales tax revenue collected during the  
716 preceding month under the provisions of this chapter on the gross  
717 proceeds of sales of a business enterprise located within a  
718 redevelopment project area under the provisions of Sections  
719 57-91-1 through 57-91-11, and the revenue collected on the gross  
720 proceeds of sales from sales made to a business enterprise located  
721 in a redevelopment project area under the provisions of Sections  
722 57-91-1 through 57-91-11 (provided that such sales made to a  
723 business enterprise are made on the premises of the business  
724 enterprise), shall, except as otherwise provided in this  
725 subsection (19), be deposited, after all diversions, into the  
726 Redevelopment Project Incentive Fund as created in Section  
727 57-91-9.

728           (b) For a municipality participating in the Economic  
729 Redevelopment Act created in Sections 57-91-1 through 57-91-11,  
730 the diversion provided for in subsection (1) of this section



731 attributable to the gross proceeds of sales of a business  
732 enterprise located within a redevelopment project area under the  
733 provisions of Sections 57-91-1 through 57-91-11, and attributable  
734 to the gross proceeds of sales from sales made to a business  
735 enterprise located in a redevelopment project area under the  
736 provisions of Sections 57-91-1 through 57-91-11 (provided that  
737 such sales made to a business enterprise are made on the premises  
738 of the business enterprise), shall be deposited into the  
739 Redevelopment Project Incentive Fund as created in Section  
740 57-91-9, as follows:

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

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

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

753                   (iv) For the ninth year in which such payments are  
754 made to a developer from the Redevelopment Project Incentive Fund,



755 sixty percent (60%) of the diversion shall be deposited into the  
756 fund; and

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

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

768 (21) (a) On or before April 15, 2007, and each succeeding  
769 month thereafter through June 15, 2013, One Hundred Fifty Thousand  
770 Dollars (\$150,000.00) of the sales tax revenue collected during  
771 the preceding month under the provisions of this chapter shall be  
772 deposited into the MMEIA Tax Incentive Fund created in Section  
773 57-101-3.

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



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

786           (23) (a) On or before August 15, 2019, and each month  
787 thereafter through July 15, 2020, one percent (1%) of the total  
788 sales tax revenue collected during the preceding month from  
789 restaurants and hotels shall be allocated for distribution to the  
790 Mississippi Development Authority Tourism Advertising Fund  
791 established under Section 57-1-64, to be used exclusively for the  
792 purpose stated therein. On or before August 15, 2020, and each  
793 month thereafter through July 15, 2021, two percent (2%) of the  
794 total sales tax revenue collected during the preceding month from  
795 restaurants and hotels shall be allocated for distribution to the  
796 Mississippi Development Authority Tourism Advertising Fund  
797 established under Section 57-1-64, to be used exclusively for the  
798 purpose stated therein. On or before August 15, 2021, and each  
799 month thereafter, three percent (3%) of the total sales tax  
800 revenue collected during the preceding month from restaurants and  
801 hotels shall be allocated for distribution to the Mississippi  
802 Development Authority Tourism Advertising Fund established under  
803 Section 57-1-64, to be used exclusively for the purpose stated





804 therein. The revenue diverted pursuant to this subsection shall  
805 not be available for expenditure until February 1, 2020.

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

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

815 (25) (a) It shall be the duty of the municipal officials of  
816 any municipality that expands its limits, or of any community that  
817 incorporates as a municipality, to notify the commissioner of that  
818 action thirty (30) days before the effective date. Failure to so  
819 notify the commissioner shall cause the municipality to forfeit  
820 the revenue that it would have been entitled to receive during  
821 this period of time when the commissioner had no knowledge of the  
822 action.

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



828 withholding the necessary funds from any later payment to be made  
829 to the municipality.

830 (ii) Subject to the provisions of Sections  
831 27-65-51 and 27-65-53, if any funds have been erroneously  
832 disbursed to a municipality under subsection (1) of this section  
833 for a period of three (3) years or more, the maximum amount that  
834 may be recovered or withheld from the municipality is the total  
835 amount of funds erroneously disbursed for a period of three (3)  
836 years beginning with the date of the first erroneous disbursement.  
837 However, if during such period, a municipality provides written  
838 notice to the Department of Revenue indicating the erroneous  
839 disbursement of funds, then the maximum amount that may be  
840 recovered or withheld from the municipality is the total amount of  
841 funds erroneously disbursed for a period of one (1) year beginning  
842 with the date of the first erroneous disbursement.

843 **SECTION 12.** If any section, paragraph, sentence, clause,  
844 phrase or any part of this act is declared to be unconstitutional  
845 or void, or if for any reason is declared to be invalid or of no  
846 effect, the remaining sections, paragraphs, sentences, clauses,  
847 phrases or parts of this act shall be in no manner affected  
848 thereby but shall remain in full force and effect.

849 **SECTION 13.** This act shall take effect and be in force from  
850 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.

