

By: Representative Lamar

To: Ways and Means

HOUSE BILL NO. 1990

1 AN ACT TO AUTHORIZE COUNTY BOARDS OF SUPERVISORS TO ESTABLISH
2 A MINIMUM AD VALOREM TAX REVENUE AMOUNT TO BE PRODUCED FROM
3 PARCELS OF RESIDENTIAL PROPERTY; TO PROVIDE THAT IF AFTER THE
4 ADOPTION OF THE ANNUAL MILLAGE RATE FOR A FISCAL YEAR, IT IS
5 DETERMINED THAT SUCH MILLAGE RATE LEVIED UPON A PARCEL OF
6 RESIDENTIAL PROPERTY WILL NOT PRODUCE THE REQUIRED MINIMUM AD
7 VALOREM TAX REVENUE AMOUNT, THE COUNTY MAY LEVY AD VALOREM TAX AT
8 AN ADDITIONAL MILLAGE UPON THE PROPERTY NECESSARY TO PRODUCE THE
9 MINIMUM AD VALOREM TAX REVENUE AMOUNT; TO PROVIDE THAT IF A COUNTY
10 LEVIES ADDITIONAL MILLAGE RATES ON PARCELS OF RESIDENTIAL PROPERTY
11 DURING A FISCAL YEAR AND THE REVENUE PRODUCED BY THE ADDITIONAL
12 MILLAGES DURING THE FISCAL YEAR, WHEN ADDED TO THE COUNTY'S
13 BUDGETED AD VALOREM TAX REVENUES, RESULTS IN TOTAL AD VALOREM TAX
14 REVENUE IN EXCESS OF THAT PROVIDED IN THE COUNTY BUDGET, THE BOARD
15 OF SUPERVISORS SHALL USE THE EXCESS REVENUE FOR THE PURPOSE OF
16 REDUCING AD VALOREM TAXES FOR THE NEXT FISCAL YEAR; TO BRING
17 FORWARD SECTION 27-39-303, MISSISSIPPI CODE OF 1972, WHICH
18 PROVIDES FOR GENERAL COUNTY AD VALOREM TAX LEVIES, FOR THE
19 PURPOSES OF POSSIBLE AMENDMENT.

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

21 **SECTION 1.** A county board of supervisors may elect to
22 establish a minimum ad valorem tax revenue amount to be produced
23 from parcels of residential property. If after the adoption of
24 the annual millage rate for a fiscal year, it is determined that
25 such millage rate levied upon the assessed value of a parcel of
26 residential property will not produce the required minimum ad



27 valorem tax revenue amount, the county may levy ad valorem tax at
28 an additional millage rate upon the property necessary to produce
29 the minimum ad valorem tax revenue amount. If a county levies
30 additional millage rates on parcels of residential property during
31 a fiscal year and the revenue produced by additional millage
32 levied during the fiscal year, when added to the county's budgeted
33 ad valorem tax revenues, results in total ad valorem tax revenue
34 in excess of that provided in the county budget, the board of
35 supervisors shall use the excess revenue for the purpose of
36 reducing ad valorem taxes for the next fiscal year.

37 **SECTION 2.** Section 27-39-303, Mississippi Code of 1972, is
38 brought forward as follows:

39 27-39-303. The board of supervisors of any county is hereby
40 empowered to levy ad valorem taxes on taxable property in the
41 respective counties in any one (1) year, as shown by the
42 assessment roll containing assessments of property made as of
43 January 1 of the year, and the assessment of motor vehicles as
44 made according to the provisions of the Motor Vehicle Ad Valorem
45 Tax Law of 1958 (Section 27-51-1 et seq.) for all general county
46 purposes, exclusive only of levies for schools at the rate
47 necessary to fund such purposes.

48 The board of supervisors of any county is further empowered
49 to expend the proceeds of this levy for any purpose authorized for
50 any other levy which the board of supervisors is authorized to
51 make. The board of supervisors may authorize general fund



52 expenditures for road and bridge construction; provided that the
53 expenditures do not exceed thirty percent (30%) of the general
54 fund in any one (1) fiscal year; provided that any general fund
55 expenditures shall be subject to the requirements of Section
56 65-15-21, Mississippi Code of 1972; and the board may authorize
57 general fund expenditures for school purposes when necessary to
58 meet the minimum local ad valorem tax effort required by Section
59 37-57-1, Mississippi Code of 1972.

60 The board of supervisors of any county is further empowered
61 to distribute from the county general fund a portion of the
62 county's share of payments made by the Tennessee Valley Authority
63 to the state in lieu of taxes (a) to the school districts of said
64 county and (b) for construction on the roads and bridges of said
65 county in an amount which bears the same proportion to the total
66 amount of the county's share as the millage for the school fund
67 and road and bridge fund bears to the total millage levied by the
68 county. In the event said in lieu payments are expended for
69 capital improvements, said payments shall not be subject to the
70 increase limitations specified in Section 27-39-321 or 37-57-107,
71 Mississippi Code of 1972.

72 **SECTION 3.** This act shall take effect and be in force from
73 and after July 1, 2024.

