

By: Senator(s) Whaley, Younger, Hopson

To: Agriculture

SENATE BILL NO. 2631

1 AN ACT TO AMEND THE DEPARTMENT OF AGRICULTURE'S ABILITY TO  
 2 EXPEND FUNDS PROVIDED FOR THE MISSISSIPPI AGRICULTURE AND FORESTRY  
 3 MUSEUM; TO AMEND SECTIONS 69-1-48, 69-5-3, 69-5-7, 69-5-8,  
 4 69-5-11, 69-5-13, 69-5-27, 69-5-31, 39-17-5, 39-23-3, 39-23-5,  
 5 45-1-19, 25-3-25, 29-5-81, 27-19-56.489, 29-5-2, 27-104-7 AND  
 6 27-65-75, MISSISSIPPI CODE OF 1972, TO CLARIFY THE PERMANENT  
 7 LOCATION OF THE MISSISSIPPI STATE FAIRGROUND; AND FOR RELATED  
 8 PURPOSES.

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

10 **SECTION 1.** Section 69-1-48, Mississippi Code of 1972, is  
 11 amended as follows:

12 69-1-48. (1) For purposes of this section, the following  
 13 words shall have the meanings ascribed herein:

14 (a) "Department" means the Mississippi Department of  
 15 Agriculture and Commerce.

16 (b) "Museum" means the Mississippi Agriculture and  
 17 Forestry Museum.

18 (2) The department may accept, budget, receive and expend  
 19 funds from any source for improvements to department property and  
 20 for marketing and promotion programs.



21 (3) (a) The department may allow a federal, state \* \* \* or  
22 local governmental entity, or a public, private, commercial or  
23 charitable entity to use, publish or advertise the entity's name  
24 on department property and in its publications. Furthermore, the  
25 commissioner may lease to any public, private, commercial or  
26 charitable entity for a term not to exceed twenty (20) years  
27 naming rights for museum buildings or property, including, but not  
28 limited to, new construction, improvements to existing buildings,  
29 grounds and/or objects located on museum property in return for  
30 consideration benefitting the department. The lessee shall pay  
31 the cost of erecting, maintaining and removing signage related to  
32 the property.

33 (b) Any funds received from the advertising or lease of  
34 naming rights shall be retained by the department and expended for  
35 improvements to its property, and marketing and promotion  
36 programs.

37 \* \* \*

38 (4) (a) There is established in the State Treasury a  
39 special fund for the department for the monies collected under  
40 this section.

41 (b) Unexpended monies remaining in the fund at the end  
42 of a fiscal year shall not lapse into the State General Fund, and  
43 any interest earned or investment earnings on amounts in the fund  
44 shall be deposited into the fund.



45           (5) (a) The department shall make reasonable attempts to  
46 notify the donor of any donated property or artifacts determined  
47 to be obsolete to allow such donor to retake possession of such  
48 item. If efforts to notify the donor prove unsuccessful, then the  
49 department may dispose of, auction or sell any property or  
50 artifact in the possession of the museum if the department  
51 determines that it is obsolete, no longer of value or use to the  
52 museum or unclaimed by the donor.

53           (b) All funds received under this section on behalf of  
54 the museum, shall be transferred into the \* \* \* enterprise fund  
55 related to the museum. The enterprise funds shall be maintained  
56 in accordance with generally accepted accounting principles and  
57 regulations prescribed by the Department of Finance and  
58 Administration.

59           (c) The department may expend these funds for  
60 improvements to the museum and for marketing and promotion  
61 programs for the museum in a manner consistent with the museum's  
62 historical purpose.

63           **SECTION 2.** Section 69-5-3, Mississippi Code of 1972, is  
64 amended as follows:

65           69-5-3. (1) The Department of Agriculture and Commerce  
66 shall set up rules and regulations consistent with the law  
67 governing the distribution of state monies for premiums or awards.  
68 It will be the duty of the department, at least twice each year,  
69 to approve premium lists or awards, and give out rules governing



70 participants in state premium money in Mississippi. The  
71 department may invite the presidents of the various district  
72 livestock shows before the department when determining policies  
73 affecting district livestock shows.

74 (2) The Department of Agriculture and Commerce is hereby  
75 authorized to accept money or funds donated to the department,  
76 including funds to be awarded as prizes in livestock competition.

77 (3) The Department of Agriculture and Commerce shall have  
78 charge of the State Fairgrounds located \* \* \* at or around 1207  
79 Mississippi Street, Jackson, Mississippi 39202, including all  
80 buildings and improvements thereon, and shall have full power and  
81 authority in perfecting plans and causing to be held thereon the  
82 Mississippi State Fair and other such events that may be  
83 authorized by the department.

84 (4) The Department of Agriculture and Commerce is hereby  
85 authorized to employ an attorney as prescribed in Section 69-1-14.

86 (5) The Department of Agriculture and Commerce may take any  
87 action authorized in Section 1 of Chapter 306, Laws of 2000.

88 (6) The Department of Agriculture and Commerce may allow a  
89 commercial, charitable or governmental entity to use, publish and  
90 advertise such entity's name in connection with any of the  
91 buildings, improvements, grounds or objects located on the State  
92 Fairgrounds \* \* \* at or around 1207 Mississippi Street, Jackson,  
93 Mississippi 39202, except for the Kirk Fordice Equine Center, or  
94 in connection with any of the events conducted on the State



95 Fairgrounds in return for a monetary consideration paid to the  
96 department. Furthermore, the department may lease to any public,  
97 private, commercial or charitable entity for a term not to exceed  
98 twenty (20) years naming rights to buildings, except for the Kirk  
99 Fordice Equine Center, or property, including, but not limited to,  
100 new construction, improvements to existing buildings, grounds  
101 and/or objects located on the State Fairgrounds located at or  
102 around 1207 Mississippi Street, Jackson, Mississippi 39202, in  
103 return for consideration benefitting the commission. The lessee  
104 shall pay the cost of erecting, maintaining and removing signage  
105 related to the property. Those funds received from an entity for  
106 allowing its name to be used, published or advertised in  
107 connection with the buildings, improvements, objects or events  
108 shall be retained by the department to be used for capital  
109 improvements to the fairgrounds or in its annual operating budget.  
110 The department shall not enter into any such agreement with any  
111 vendor whose products are illegal for participation in or use by  
112 persons eighteen (18) years of age and under.

113 (7) The Commissioner of Agriculture and Commerce is  
114 authorized to form and establish a private foundation or nonprofit  
115 corporation to receive and disburse the funds generated by the  
116 sale of naming rights described in subsection (6) of this section  
117 and for any other donations made to the department. The funds  
118 shall be disbursed in accordance with the guidelines described in  
119 this section, and the foundation or nonprofit corporation shall be



120 subject to the reporting requirements described in subsection (10)  
121 of this section. All funds shall remain with the foundation until  
122 disbursement and shall not be transferred to the State General  
123 Fund. No public funds shall be deposited into the account of the  
124 private foundation or nonprofit corporation established by the  
125 department for the benefit of the State Fairgrounds, nor shall the  
126 Legislature appropriate any State General Fund or Special Fund  
127 monies to the foundation or nonprofit corporation for such  
128 purposes. All monies received by the foundation shall be  
129 maintained separately from funds allocated to the department for  
130 operating and administrative costs associated with the State  
131 Fairgrounds located at or around 1207 Mississippi Street, Jackson,  
132 Mississippi 39202. In addition to the reporting of information to  
133 be included in the annual legislative report of the department,  
134 the private foundation or nonprofit corporation shall be subject  
135 to annual financial audits by the State Auditor and by auditors of  
136 donors in the same manner as required for state agencies.

137 (8) The Department of Agriculture and Commerce shall have  
138 the authority to enter into a lease or right-of-way with a third  
139 party covering any land or buildings on the State Fairgrounds  
140 located at or around 1207 Mississippi Street, Jackson, Mississippi  
141 39202, and any funds generated from such lease or right-of-way  
142 shall remain in a special fund managed by the department for the  
143 benefit of the State Fairgrounds. All monies in the special fund  
144 may be used for capital improvements to the State Fairgrounds



145 located at or around 1207 Mississippi Street, Jackson, Mississippi  
146 39202, or in the department's annual operating budget for  
147 operating and administrative costs associated with the State  
148 Fairgrounds. Any unexpended funds remaining in the special fund  
149 shall not lapse into the State General Fund, and any interest  
150 earned or investment earnings on amounts in the fund shall be  
151 deposited in the fund.

152 (9) The Department of Agriculture and Commerce is hereby  
153 authorized, with the advice of the Mississippi Fair Advisory  
154 Council, to adopt such rules and regulations as may be necessary  
155 or desirable to carry out, execute or implement the provisions of  
156 this article.

157 (10) The Department of Agriculture and Commerce shall report  
158 by January 1 of each year a detailed financial statement of all  
159 monies received and expended under subsection (6) and subsection  
160 (7) of this section to the Lieutenant Governor, the Speaker of the  
161 House of Representatives and the Chairman of the Senate  
162 Agriculture Committee and the Chairman of the House of  
163 Representatives Agriculture Committee.

164 **SECTION 3.** Section 69-5-7, Mississippi Code of 1972, is  
165 amended as follows:

166 69-5-7. Headquarters of the Mississippi State Fair  
167 operations shall be in connection with the office of the  
168 Department of Agriculture and Commerce. The Mississippi State



169 Fair shall occur on the Mississippi State Fairgrounds located at  
170 or around 1207 Mississippi Street, Jackson, Mississippi 39202.

171 **SECTION 4.** Section 69-5-8, Mississippi Code of 1972, is  
172 amended as follows:

173 69-5-8. The building under the jurisdiction of the  
174 Department of Agriculture and Commerce, \* \* \* which is  
175 located \* \* \* at or around the Mississippi State Fairgrounds, 1207  
176 Mississippi Street, Jackson, Mississippi 39202, and used primarily  
177 as an arena for rodeo and livestock expositions and related  
178 events, shall be named the Kirk Fordice Equine Center. The  
179 Department of Agriculture and Commerce shall prepare or have  
180 prepared a distinctive plaque, to be placed in a prominent place  
181 within the Kirk Fordice Equine Center, that states the background,  
182 accomplishments and service to the state of Governor Kirk Fordice.

183 **SECTION 5.** Section 69-5-11, Mississippi Code of 1972, is  
184 amended as follows:

185 69-5-11. (1) The Department of Agriculture and Commerce  
186 shall charge for admission to the State Fair, which shall be  
187 hosted on the Mississippi State Fairgrounds located at or around  
188 1207 Mississippi Street, Jackson, Mississippi 39202. The proceeds  
189 thereof shall be used for the repayment of revenue bonds issued  
190 for the purpose of constructing, equipping and furnishing new  
191 buildings and making improvements on the State Fairgrounds.

192 (2) Funds collected in excess of those required to retire  
193 any outstanding bond indebtedness may be used as operating revenue





194 for the Department of Agriculture and Commerce for operating and  
195 administrative costs associated with the State Fairgrounds, and  
196 such excess funds received by the department shall be deposited in  
197 a special fund account managed by the department for the benefit  
198 of the State Fairgrounds located at or around 1207 Mississippi  
199 Street, Jackson, Mississippi 39202.

200 (3) The State Treasurer is hereby directed to invest such  
201 excess funds to the credit of the special account managed by the  
202 department for the benefit of the State Fairgrounds located at or  
203 around 1207 Mississippi Street, Jackson, Mississippi 39202.

204 **SECTION 6.** Section 69-5-13, Mississippi Code of 1972, is  
205 amended as follows:

206 69-5-13. The Department of Agriculture and Commerce is  
207 hereby authorized and empowered, in its discretion, to declare by  
208 resolution the number and type buildings which need to be  
209 constructed and the type of improvements that need to be made on  
210 the State Fairgrounds located at or around 1207 Mississippi  
211 Street, Jackson, Mississippi 39202, and file a certified copy of  
212 said resolution with the State Building Commission. If the State  
213 Building Commission believes such construction and improvements to  
214 be in the best public interest, and that receipts from admission  
215 to the State Fair reasonably shall be expected to produce  
216 sufficient revenues over a period not to exceed twenty (20) years  
217 to retire bonds issued to pay the cost of such improvements as



218 well as the interest thereon, it may, in its discretion, approve  
219 the request of the Department of Agriculture and Commerce.

220 **SECTION 7.** Section 69-5-27, Mississippi Code of 1972, is  
221 amended as follows:

222 69-5-27. The Department of Agriculture and Commerce shall  
223 have the power and authority, in its discretion, to borrow money  
224 from any bank or banks in an amount not in excess of Two Hundred  
225 Thousand Dollars (\$200,000.00), to be used for the repair,  
226 renovation or maintenance of buildings located at the Mississippi  
227 State Fairgrounds located at or around 1207 Mississippi Street,  
228 Jackson, Mississippi 39202. The Department of Agriculture and  
229 Commerce may use any funds accruing to it to service and retire  
230 said indebtedness. Such loan shall not exceed a term of ten (10)  
231 years and shall bear interest at a rate not in excess of that  
232 provided for in Section 75-17-101.

233 Any loan secured under the provisions of this section shall  
234 be approved by the State Bond Commission.

235 **SECTION 8.** Section 69-5-31, Mississippi Code of 1972, is  
236 amended as follows:

237 69-5-31. (1) The Department of Agriculture and Commerce is  
238 authorized to hire and designate area law enforcement officers on  
239 a contractual basis to provide security and to enforce all laws of  
240 the State of Mississippi on the Mississippi State Fairgrounds  
241 Complex located at or around 1207 Mississippi Street, Jackson,  
242 Mississippi 39202. All officers must have attended and



243 satisfactorily completed the training course required for law  
244 enforcement officers at the Law Enforcement Officer's Training  
245 Academy or an equivalent facility. All officers must be current  
246 with this certification. A complete record of all law enforcement  
247 training of each employee will be maintained in each employee's  
248 record of employment. Furthermore, the Department of Agriculture  
249 and Commerce may enter into a contract with any certified law  
250 enforcement officer to provide security to the Department of  
251 Agriculture and Commerce with jurisdiction to enforce all laws of  
252 the State of Mississippi on the property known as the "Mississippi  
253 State Fairgrounds Complex" located at or around 1207 Mississippi  
254 Street, Jackson, Mississippi 39202, and any and all of its  
255 outlying buildings and property.

256 (2) (a) All officers while in performance of their duty on  
257 the premises or at any of the facilities at the Mississippi State  
258 Fairgrounds Complex located at or around 1207 Mississippi Street,  
259 Jackson, Mississippi 39202, under the direction or control of the  
260 Department of Agriculture and Commerce and public property  
261 immediately adjacent to such facilities shall:

262 (i) Be required to dress in uniforms prescribed by  
263 the respective law enforcement agency by which he or she is  
264 employed; and

265 (ii) Be authorized to carry weapons.

266 (b) Employees designated as officers shall be duly  
267 sworn and vested with authority to bear arms and make arrests, and



268 shall exercise primarily the responsibilities of the prevention  
269 and detection of crime, the apprehension of criminals, and the  
270 enforcement of the ordinances and policies of the Department of  
271 Agriculture and Commerce, a political subdivision of the State of  
272 Mississippi. Employees designated as such officers shall be  
273 considered law enforcement officers within the meaning of Section  
274 45-6-3.

275 (3) The identities and personal information of the officers  
276 under the authority of this section are confidential and shall not  
277 be publicly disclosed by the department. The Department of  
278 Agriculture and Commerce shall redact the identities and personal  
279 information of officers contracted to serve on the Mississippi  
280 State Fairground Complex located at or around 1207 Mississippi  
281 Street, Jackson, Mississippi 39202, from all contracts disclosed  
282 as public records in compliance with the Mississippi Public  
283 Records Act, prescribed under Section 25-61-1 et seq.; and such  
284 law enforcement contracts shall not be posted on the Department of  
285 Finance and Administration's searchable website, as required by  
286 the Mississippi Accountability and Transparency Act, prescribed  
287 under Section 27-104-151 et seq.

288 **SECTION 9.** Section 39-17-5, Mississippi Code of 1972, is  
289 amended as follows:

290 39-17-5. The Mississippi Sports Hall of Fame and Dizzy Dean  
291 Museum shall be funded, in part, by the sale of exclusive rights  
292 to market soft drinks at the State Fairgrounds located at or



293 around 1207 Mississippi Street, Jackson, Mississippi 39202, the  
294 Jim Buck Ross Mississippi Agriculture and Forestry Museum and the  
295 Mississippi Sports Hall of Fame and Dizzy Dean Museum; however,  
296 the sale of such rights for the State Fairgrounds shall include  
297 the Mississippi State Fair and the Dixie National Livestock Show  
298 and Rodeo and no other event or activity on the State Fairgrounds.  
299 The Mississippi Fair Commission and the Mississippi Department of  
300 Agriculture and Commerce shall have the authority to enter  
301 contracts for the sale of the aforementioned exclusive rights for  
302 a term not exceeding twelve (12) years per contract. If bids for  
303 the purchase of such rights are in an amount that is less than the  
304 amount needed to construct the Mississippi Sports Hall of Fame and  
305 Dizzy Dean Museum, then the Mississippi Fair Commission and the  
306 Mississippi Department of Agriculture and Commerce may reject all  
307 bids and shall not be obligated to enter into such contracts.  
308 Funds so generated shall be deposited in a special,  
309 interest-bearing account, in the State Treasury to be administered  
310 by the Department of Finance and Administration. The account  
311 shall be known as the "Mississippi Sports Hall of Fame and Dizzy  
312 Dean Museum Account" and all interest accrued thereon shall be  
313 credited to the account. Any funds in the account shall not lapse  
314 into the General Fund at the end of the fiscal year but shall  
315 remain in the account. Any balance remaining at the end of the  
316 project shall be transferred to the operating account of the  
317 Mississippi Sports Hall of Fame and Dizzy Dean Museum.



318           **SECTION 10.** Section 39-23-3, Mississippi Code of 1972, is  
319 amended as follows:

320           39-23-3. The Mississippi Children's Museum may be located:

321           (a) At the old National Guard Armory located on the  
322 Mississippi State Fairgrounds \* \* \* which is located at or around  
323 1207 Mississippi Street, Jackson, Mississippi 39202, after the  
324 repair, renovation, furnishing and equipping of such facility by  
325 the Department of Finance and Administration as provided for in  
326 Sections 16 through 33 of Chapter 535, Laws of 1997, as amended;

327           (b) In such structure and at such location as shall be  
328 submitted by the Board of Directors of the Mississippi Children's  
329 Museum, a Mississippi nonprofit corporation, to and approved as an  
330 appropriate structure and location by the Department of Finance  
331 and Administration, after the repair, renovation, furnishing and  
332 equipping of such facility by the Department of Finance and  
333 Administration as provided in Sections 16 through 33 of Chapter  
334 535, Laws of 1997, as amended; or

335           (c) In the building, formerly known as the Mississippi  
336 Museum of Natural Science, on land located adjacent to the State  
337 Fairgrounds in the City of Jackson, County of Hinds, Mississippi,  
338 described more specifically as follows:

339           Starting at the point of intersection of the  
340 North line of Pearl Street and the West line of  
341 Jefferson Street, run Northerly along the West  
342 line of Jefferson Street a distance of 240 feet



343 to the point of beginning, an iron pin.  
344 Continue Northerly along the West line of  
345 Jefferson Street for a distance of 257.9 feet to  
346 an iron pin; turn left through an angle of 89 degrees -  
347 57 minutes - 14 seconds and run Westerly for a  
348 distance of 278.9 feet to an iron pin on the east  
349 right-of-way line of the G.M. & O. Railroad; turn  
350 left through an angle of 79 degrees - 29 minutes -  
351 30 seconds and run Southerly along the East right-of-way  
352 of the G.M. & O. Railroad (Said line being a curve  
353 to the left with a radius of 2814.93 feet, chord  
354 definition) for a distance of 260.4 feet to an iron  
355 pipe; turn left through an angle of 95 degrees - 12  
356 minutes - 26 seconds and run Easterly and parallel  
357 with the North line of this tract for a distance of  
358 314.7 feet to the point of beginning.

359 (d) On certain real property owned by the State of  
360 Mississippi and held by the Mississippi Department of Agriculture  
361 and Commerce, more particularly described as follows:

362 39 acres lying in the northeast corner of the  
363 intersection of Mississippi 25 and Interstate 55.

364 (e) At any location in Hinds County as shall be  
365 submitted by the Board of Directors of the Mississippi Children's  
366 Museum, a Mississippi nonprofit corporation, to the Department of



367 Finance and Administration and approved as an appropriate location  
368 by the Department of Finance and Administration.

369 **SECTION 11.** Section 39-23-5, Mississippi Code of 1972, is  
370 amended as follows:

371 39-23-5. (1) The Department of Finance and Administration  
372 shall proceed with the repair, renovation, furnishing and  
373 equipping of the old National Guard Armory on the Mississippi  
374 State Fairgrounds, which is located at or around 1207 Mississippi  
375 Street, Jackson, Mississippi 39202, or another structure if  
376 approved by the Department of Finance and Administration as  
377 provided in Section 17 of Chapter 589, Laws of 1999, for its use  
378 as a children's museum as soon as practicable.

379 (2) The Department of Finance and Administration shall  
380 proceed with the repair, renovation, furnishing and equipping of  
381 the facility at the location described in Section 39-23-3(c) as  
382 soon as practicable.

383 (3) The Department of Finance and Administration shall  
384 proceed with the construction, furnishing and equipping of a  
385 facility at the location described in Section 39-23-3(d), if the  
386 location at such site is approved by the Board of Directors of the  
387 Mississippi Children's Museum and the Department of Finance and  
388 Administration, as soon as practicable.

389 (4) The Department of Finance and Administration shall  
390 proceed with the construction, furnishing and equipping of a  
391 facility at a location selected as provided in Section 39-23-3(e),





392 if the location is approved by the Board of Directors of the  
393 Mississippi Children's Museum and the Department of Finance and  
394 Administration, as soon as practicable.

395 **SECTION 12.** Section 45-1-19, Mississippi Code of 1972, is  
396 amended as follows:

397 45-1-19. (1) The Department of Public Safety, through the  
398 Office of Capitol Police, shall have jurisdiction relative to the  
399 enforcement of all laws of the State of Mississippi on the  
400 properties, from curb to curb, including adjoining streets,  
401 sidewalks and leased parking lots within the Capitol Complex, set  
402 forth in Section 29-5-2, the Governor's mansion, the Supreme Court  
403 Building, the Mississippi Department of Transportation Building  
404 and the Public Employees' Retirement System Building, and any  
405 property purchased, constructed or otherwise acquired by the State  
406 of Mississippi for conducting state business and not specifically  
407 under the supervision and care by any other state entity, but  
408 which is reasonably assumed the Department of Public Safety would  
409 be responsible for such. The Department of Public Safety shall,  
410 through any person or persons appointed by the commissioner, make  
411 arrests for any violation of any law of the State of Mississippi  
412 on the grounds of or within those properties. The Department of  
413 Public Safety shall, in addition, enforce the provisions of this  
414 section and Sections 29-5-57 through 29-5-67, 29-5-73 through  
415 29-5-75, and 29-5-81 through 29-5-95, and prescribe such rules and  
416 regulations as are necessary therefor. The powers and duties



417 related to the administration of Sections 29-5-57 through 29-5-67,  
418 29-5-73 through 29-5-75, and 29-5-81 through 29-5-95 shall remain  
419 with the Department of Finance and Administration.

420 (2) Subject to the approval of the Board of Trustees of  
421 State Institutions of Higher Learning, the Board of Trustees and  
422 the Department of Public Safety shall be authorized to enter into  
423 a contract for the Department of Public Safety to supply the  
424 security personnel with jurisdiction to enforce all laws of the  
425 State of Mississippi on the property of the Board of Trustees  
426 located at the corner of Ridgewood Road and Lakeland Drive in the  
427 City of Jackson.

428 (3) The Department of Public Safety and the Department of  
429 Agriculture are authorized to enter into a contract for the  
430 Department of Public Safety to have jurisdiction and enforce all  
431 laws of the State of Mississippi on the property of the Department  
432 of Agriculture located at 121 North Jefferson Street and the new  
433 Farmers Market Building located at the corner of High and  
434 Jefferson Streets in the City of Jackson, Hinds County,  
435 Mississippi. It is the intent of the Legislature that the  
436 Department of Public Safety will not post any security personnel  
437 at such buildings, but will provide regular vehicle patrols and  
438 responses to security system alarms.

439 (4) The Department of Public Safety and the Department of  
440 Agriculture are authorized to enter into a contract for the  
441 Department of Public Safety to have jurisdiction and enforce all



442 laws of the State of Mississippi on the property of the Department  
443 of Agriculture known as the "Mississippi State Fairgrounds  
444 Complex" and any and all of its outlying buildings and property  
445 located at or around 1207 Mississippi Street, Jackson, Mississippi  
446 39202. The Department of Public Safety and the Department of  
447 Agriculture are authorized to enter into a contract for the  
448 Department of Public Safety to supply the security personnel to  
449 the Department of Agriculture with jurisdiction to enforce all  
450 laws of the State of Mississippi on this property and any and all  
451 buildings on this property. The Department of Public Safety is  
452 authorized to charge the Department of Agriculture a fee for  
453 security services provided for special events at the Mississippi  
454 State Fairgrounds Complex located at or around 1207 Mississippi  
455 Street, Jackson, Mississippi 39202. The fee charged will be  
456 commensurate with the cost associated with the Department of  
457 Public Safety providing those services.

458 (5) The Department of Public Safety and the Department of  
459 Revenue are authorized to enter into a contract for the Department  
460 of Public Safety to supply the security personnel with  
461 jurisdiction to enforce all laws of the State of Mississippi at  
462 the Alcoholic Beverage Control facility and the Department of  
463 Revenue main office.

464 (6) (a) The Department of Public Safety shall have primary  
465 jurisdiction relative to any other state or municipal law  
466 enforcement agency to enforce all laws of the State of Mississippi



467 within the boundaries of the Capitol Complex Improvement District  
468 created in Section 29-5-203; such enforcement shall be its primary  
469 function. The Department of Public Safety may, through any person  
470 or persons appointed by the Department of Public Safety, make  
471 arrests for any violation of any law of the State of Mississippi  
472 and violations of the City of Jackson's traffic ordinances or  
473 ordinances related to the disturbance of the public peace which  
474 occurs within the boundaries of the district and within the  
475 boundaries of the City of Jackson. The Department of Public  
476 Safety may choose to present cases to either the District Attorney  
477 or the prosecuting attorneys designated by the Attorney General  
478 for prosecution of any violation of law that accrues or occurs, in  
479 whole or in part, within the boundaries established by Section  
480 29-5-203. The jurisdiction of the Department of Public Safety  
481 granted under this subsection (6) shall be concurrent with the  
482 jurisdiction of the City of Jackson, Mississippi, and that of  
483 Hinds County, Mississippi within the boundaries of the Capitol  
484 Complex Improvement District created in Section 29-5-203. At any  
485 time and/or during any event necessitating the coordination of  
486 and/or utilization at multiple jurisdictions, as determined by the  
487 Chief of Capitol Police or the Commissioner of the Department of  
488 Public Safety shall be the lead agency when the event occurs on  
489 property as defined herein that is owned or leased by the state as  
490 provided in subsection (1) of this section. The jurisdiction and  
491 authority of the Department of Public Safety under this subsection



492 (6) shall be in addition to any other jurisdiction and authority  
493 provided to the department under this section or any other law.

494 (b) The Department of Public Safety shall have  
495 jurisdiction relative to the enforcement of all laws of the State  
496 of Mississippi within the boundaries of the City of Jackson,  
497 Mississippi. The Department of Public Safety may, through any  
498 person or persons appointed by the Department of Public Safety,  
499 make arrests for any violation of any law of the State of  
500 Mississippi which occurs within the boundaries of the City of  
501 Jackson. The jurisdiction of the Department of Public Safety  
502 granted under this paragraph (b) shall not be primary and shall be  
503 concurrent with the jurisdiction of the City of Jackson,  
504 Mississippi, and that of Hinds County, Mississippi.

505 (c) Written approval from the Chief of the Capitol  
506 Police or the Commissioner of the Department of Public Safety  
507 shall be required before any event occurs which will take place on  
508 any street or sidewalk immediately adjacent to any building or  
509 property owned or occupied by any official, agency, board,  
510 commission, office or other entity of the State of Mississippi, or  
511 which can reasonably be expected to block, impede or otherwise  
512 hinder ingress thereto and/or egress therefrom. The Department of  
513 Public Safety shall promulgate rules and regulations to effectuate  
514 the provisions of this paragraph (c).

515 (d) The Chief of the Capitol Police and/or the  
516 Commissioner of the Department of Public Safety, the Chief of the



517 Jackson Police Department, and the Sheriff of Hinds County shall  
518 hold a regular meeting within the boundaries of the Capitol  
519 Complex Improvement District to address the concerns of the  
520 public. Each meeting shall be called by the Chief of the Capitol  
521 Police; and the first meeting shall be called by October 15, 2023.

522 (7) The Department of Public Safety is authorized to enter  
523 into a contract with any county for the county to take custody of  
524 the misdemeanor offenders arrested under the authority granted  
525 under this section.

526 (8) All accrued personal leave earned pursuant to Section  
527 25-3-93, accrued major medical leave earned pursuant to Section  
528 25-3-95, accrued state compensatory leave earned pursuant to  
529 Section 25-3-92, and compensatory leave earned pursuant to the  
530 Fair Labor Standards Act (FLSA) shall transfer from the Department  
531 of Finance and Administration to the Department of Public Safety  
532 for all employees transferred under this section.

533 **SECTION 13.** Section 25-3-25, Mississippi Code of 1972, is  
534 amended as follows:

535 25-3-25. (1) Except as otherwise provided in subsections  
536 (2) through (12) of this section, the salaries of sheriffs of the  
537 various counties are fixed as full compensation for their  
538 services.

539 The annual salary for each sheriff shall be based upon the  
540 total population of his or her county according to the latest  
541 federal decennial census in the following categories and for the



542 following amounts; however, no sheriff shall be paid less than the  
543 salary authorized under this section to be paid the sheriff based  
544 upon the population of the county according to the most recent  
545 federal decennial census:

546 (a) For counties with a total population of more than  
547 one hundred thousand (100,000), a salary of One Hundred Four  
548 Thousand Dollars (\$104,000.00).

549 (b) For counties with a total population of more than  
550 forty-four thousand (44,000) and not more than one hundred  
551 thousand (100,000), a salary of Ninety-five Thousand Dollars  
552 (\$95,000.00).

553 (c) For counties with a total population of more than  
554 thirty thousand (30,000) and not more than forty-four thousand  
555 (44,000), a salary of Ninety Thousand Dollars (\$90,000.00).

556 (d) For counties with a total population of more than  
557 twelve thousand five hundred (12,500) and not more than thirty  
558 thousand (30,000), a salary of Eighty-five Thousand Dollars  
559 (\$85,000.00).

560 (e) For counties with a total population of not more  
561 than twelve thousand five hundred (12,500), a salary of Eighty  
562 Thousand Dollars (\$80,000.00).

563 (2) In addition to the salary provided for in subsection (1)  
564 of this section, the Board of Supervisors of Leflore County, in  
565 its discretion, may pay an annual supplement to the sheriff of the  
566 county in an amount not to exceed Ten Thousand Dollars



567 (\$10,000.00). The Legislature finds and declares that the annual  
568 supplement authorized by this subsection is justified in such  
569 county for the following reasons:

570 (a) The Mississippi Department of Corrections operates  
571 and maintains a restitution center within the county;

572 (b) The Mississippi Department of Corrections operates  
573 and maintains a community work center within the county;

574 (c) There is a resident circuit court judge in the  
575 county whose office is located at the Leflore County Courthouse;

576 (d) There is a resident chancery court judge in the  
577 county whose office is located at the Leflore County Courthouse;

578 (e) The Magistrate for the Fourth Circuit Court  
579 District is located in the county and maintains his office at the  
580 Leflore County Courthouse;

581 (f) The Region VI Mental Health-Mental Retardation  
582 Center, which serves a multicounty area, calls upon the sheriff to  
583 provide security for out-of-town mental patients, as well as  
584 patients from within the county;

585 (g) The increased activity of the Child Support  
586 Division of the Department of Human Services in enforcing in the  
587 courts parental obligations has imposed additional duties on the  
588 sheriff; and

589 (h) The dispatchers of the enhanced E-911 system in  
590 place in Leflore County have been placed under the direction and  
591 control of the sheriff.





592           (3) In addition to the salary provided for in subsection (1)  
593 of this section, the Board of Supervisors of Rankin County, in its  
594 discretion, may pay an annual supplement to the sheriff of the  
595 county in an amount not to exceed Ten Thousand Dollars  
596 (\$10,000.00). The Legislature finds and declares that the annual  
597 supplement authorized by this subsection is justified in such  
598 county for the following reasons:

599           (a) The Mississippi Department of Corrections operates  
600 and maintains the Central Mississippi Correctional Facility within  
601 the county;

602           (b) The State Hospital is operated and maintained  
603 within the county at Whitfield;

604           (c) Hudspeth Regional Center, a facility maintained for  
605 the care and treatment of persons with an intellectual disability,  
606 is located within the county;

607           (d) The Mississippi Law Enforcement Officers Training  
608 Academy is operated and maintained within the county;

609           (e) The State Fire Academy is operated and maintained  
610 within the county;

611           (f) The Pearl River Valley Water Supply District,  
612 ordinarily known as the "Reservoir District," is located within  
613 the county;

614           (g) The Jackson-Medgar Wiley Evers International  
615 Airport is located within the county;



616 (h) The patrolling of the state properties located  
617 within the county has imposed additional duties on the sheriff;  
618 and

619 (i) The sheriff, in addition to providing security to  
620 the nearly one hundred thousand (100,000) residents of the county,  
621 has the duty to investigate, solve and assist in the prosecution  
622 of any misdemeanor or felony committed upon any state property  
623 located in Rankin County.

624 (4) In addition to the salary provided for in subsection (1)  
625 of this section, the Board of Supervisors of Neshoba County shall  
626 pay an annual supplement to the sheriff of the county an amount  
627 equal to Ten Thousand Dollars (\$10,000.00).

628 (5) In addition to the salary provided for in subsection (1)  
629 of this section, the Board of Supervisors of Tunica County, in its  
630 discretion, may pay an annual supplement to the sheriff of the  
631 county an amount equal to Ten Thousand Dollars (\$10,000.00),  
632 payable beginning April 1, 1997.

633 (6) In addition to the salary provided for in subsection (1)  
634 of this section, the Board of Supervisors of Hinds County shall  
635 pay an annual supplement to the sheriff of the county in an amount  
636 equal to Fifteen Thousand Dollars (\$15,000.00). The Legislature  
637 finds and declares that the annual supplement authorized by this  
638 subsection is justified in such county for the following reasons:

639 (a) Hinds County has the greatest population of any  
640 county, two hundred fifty-four thousand four hundred forty-one



641 (254,441) by the 1990 census, being almost one hundred thousand  
642 (100,000) more than the next most populous county;

643 (b) Hinds County is home to the State Capitol and the  
644 seat of all state government offices;

645 (c) Hinds County is the third largest county in  
646 geographic area, containing eight hundred seventy-five (875)  
647 square miles;

648 (d) Hinds County is comprised of two (2) judicial  
649 districts, each having a courthouse and county office buildings;

650 (e) There are four (4) resident circuit judges, four  
651 (4) resident chancery judges, and three (3) resident county judges  
652 in Hinds County, the most of any county, with the sheriff acting  
653 as chief executive officer and provider of bailiff services for  
654 all;

655 (f) The main offices for the clerk and most of the  
656 judges and magistrates for the United States District Court for  
657 the Southern District of Mississippi are located within the  
658 county;

659 (g) The state's only urban university, Jackson State  
660 University, is located within the county;

661 (h) The University of Mississippi Medical Center,  
662 combining the medical school, dental school, nursing school and  
663 hospital, is located within the county;

664 (i) Mississippi Veterans Memorial Stadium, the state's  
665 largest sports arena, is located within the county;



666 (j) The Mississippi State Fairgrounds located at or  
667 around 1207 Mississippi Street, Jackson, Mississippi 39202,  
668 including the Coliseum and Trade Mart, are located within the  
669 county;

670 (k) Hinds County has the largest criminal population in  
671 the state, such that the Hinds County Sheriff's Department  
672 operates the largest county jail system in the state, housing  
673 almost one thousand (1,000) inmates in three (3) separate  
674 detention facilities;

675 (l) The Hinds County Sheriff's Department handles more  
676 mental and drug and alcohol commitment cases than any other  
677 sheriff's department in the state;

678 (m) The Mississippi Department of Corrections maintains  
679 a restitution center within the county;

680 (n) The Mississippi Department of Corrections regularly  
681 houses as many as one hundred (100) state convicts within the  
682 Hinds County jail system; and

683 (o) The Hinds County Sheriff's Department is regularly  
684 asked to provide security services not only at the Fairgrounds and  
685 Memorial Stadium, but also for events at the Mississippi Museum of  
686 Art and Jackson City Auditorium.

687 (7) In addition to the salary provided for in subsection (1)  
688 of this section, the Board of Supervisors of Wilkinson County, in  
689 its discretion, may pay an annual supplement to the sheriff of the  
690 county in an amount not to exceed Ten Thousand Dollars



691 (\$10,000.00). The Legislature finds and declares that the annual  
692 supplement authorized by this subsection is justified in such  
693 county because the Mississippi Department of Corrections contracts  
694 for the private incarceration of state inmates at a private  
695 correctional facility within the county.

696 (8) In addition to the salary provided for in subsection (1)  
697 of this section, the Board of Supervisors of Marshall County, in  
698 its discretion, may pay an annual supplement to the sheriff of the  
699 county in an amount not to exceed Ten Thousand Dollars

700 (\$10,000.00). The Legislature finds and declares that the annual  
701 supplement authorized by this subsection is justified in such  
702 county because the Mississippi Department of Corrections contracts  
703 for the private incarceration of state inmates at a private  
704 correctional facility within the county.

705 (9) In addition to the salary provided in subsection (1) of  
706 this section, the Board of Supervisors of Greene County, in its  
707 discretion, may pay an annual supplement to the sheriff of the  
708 county in an amount not to exceed Ten Thousand Dollars

709 (\$10,000.00). The Legislature finds and declares that the annual  
710 supplement authorized by this subsection is justified in such  
711 county for the following reasons:

712 (a) The Mississippi Department of Corrections operates  
713 and maintains the South Mississippi Correctional Facility within  
714 the county;



715 (b) In 1996, additional facilities to house another one  
716 thousand four hundred sixteen (1,416) male offenders were  
717 constructed at the South Mississippi Correctional Facility within  
718 the county; and

719 (c) The patrolling of the state properties located  
720 within the county has imposed additional duties on the sheriff  
721 justifying additional compensation.

722 (10) In addition to the salary provided in subsection (1) of  
723 this section, the board of supervisors of any county, in its  
724 discretion, may pay an annual supplement to the sheriff of the  
725 county in an amount not to exceed Ten Thousand Dollars  
726 (\$10,000.00). The amount of the supplement shall be spread on the  
727 minutes of the board. The annual supplement authorized in this  
728 subsection shall not be in addition to the annual supplements  
729 authorized in subsections (2) through (9).

730 (11) In addition to the salary provided in subsection (1)  
731 and the supplements authorized in subsections (2) through (10),  
732 the board of supervisors of any county, in its discretion, may pay  
733 an annual supplement in an amount not to exceed Five Thousand  
734 Dollars (\$5,000.00) to the sheriff of any county in which a  
735 juvenile detention center is located. The amount of the  
736 supplement shall be spread on the minutes of the board.

737 (12) In addition to the salary provided in subsection (1) of  
738 this section and any supplements authorized in subsections (2)  
739 through (11) of this section, a sheriff may receive the premium



740 pay provided for in Section 45-2-41 as part of the sheriff's  
741 compensation.

742 (13) (a) The salaries provided in this section shall be  
743 payable monthly on the first day of each calendar month by  
744 chancery clerk's warrant drawn on the general fund of the county;  
745 however, the board of supervisors, by resolution duly adopted and  
746 entered on its minutes, may provide that such salaries shall be  
747 paid semimonthly on the first and fifteenth day of each month. If  
748 a pay date falls on a weekend or legal holiday, salary payments  
749 shall be made on the workday immediately preceding the weekend or  
750 legal holiday.

751 (b) At least Ten Dollars (\$10.00) from each fee  
752 collected and deposited into the county's general fund under the  
753 provisions of paragraphs (a), (c) and (g) of subsection (1) of  
754 Section 25-7-19 shall be used for the sheriffs' salaries  
755 authorized in Section 25-3-25; as such Ten Dollar (\$10.00) amount  
756 was authorized during the 2007 Regular Session in Chapter 331,  
757 Laws of 2007, for the purpose of providing additional monies to  
758 the counties for sheriffs' salaries.

759 (14) (a) All sheriffs, each year, shall attend twenty (20)  
760 hours of continuing education courses in law enforcement. Such  
761 courses shall be approved by the Mississippi Board on Law  
762 Enforcement Officer Standards and Training. Such education  
763 courses may be provided by an accredited law enforcement academy  
764 or by the Mississippi Sheriffs' Association.



765 (b) The Mississippi Board on Law Enforcement Officer  
766 Standards and Training shall reimburse each county for the  
767 expenses incurred by sheriffs and deputy sheriffs for attendance  
768 at any approved training programs as required by this subsection.

769 **SECTION 14.** Section 29-5-81, Mississippi Code of 1972, is  
770 amended as follows:

771 29-5-81. Grounds of public buildings over which the  
772 Department of Finance and Administration has jurisdiction shall  
773 comprise the following:

774 (a) In the City of Jackson, Mississippi:

775 (i) The grounds surrounding all state buildings  
776 identified in Section 29-5-2(a)(i) and all seats of government  
777 property;

778 (ii) State Board of Health Complex: Bounded on  
779 the north by Stadium Drive, on the west by the property of  
780 Mississippi Hospital and Medical Service, on the south by Woodrow  
781 Wilson Avenue, on the southeast by property leased by the  
782 Mississippi Federation of Women's Clubs and on the east by North  
783 State Street;

784 (iii) The Barefield Property, the Sun-n-Sand  
785 Property and any other property described in Section 1 of Chapter  
786 542, Laws of 2009;

787 (iv) The Mississippi State Fairgrounds Complex  
788 located at or around 1207 Mississippi Street, Jackson, Mississippi  
789 39202, including, but not limited to, the Mississippi Coliseum,





790 Trademart, Kirk Fordice Equine Center, Mississippi Street Armory,  
791 and all arenas, barns, buildings, campgrounds and property  
792 whatsoever; such property being bounded on the north by High  
793 Street, on the west by Jefferson Street, on the east by Greymont  
794 Street, and on the south by Greymont Street.

795 (b) The grounds of Dr. Eldon Langston Bolton Building:  
796 Located in the City of Biloxi, Mississippi.

797 (c) The grounds of State Service Center: Located at  
798 the intersection of U.S. Highway 49 and John Merl Tatum Industrial  
799 Drive in the City of Hattiesburg, Mississippi.

800 (d) Any grounds of any property purchased, constructed  
801 or otherwise acquired by the State of Mississippi for conducting  
802 state business and not specifically under the supervision and care  
803 by any other state entity, but which is reasonably assumed the  
804 department would be responsible for such, as approved by the  
805 Public Procurement Review Board, including, but not limited to:

806 \* \* \* (i) The grounds of the National Aeronautics  
807 and Space Administration (NASA) Shared Services Center and  
808 Lockheed Martin Building at Stennis Space Center;

809 \* \* \* (ii) The grounds of the Mississippi Sports  
810 Hall of Fame;

811 \* \* \* (iii) The grounds of the Mississippi Crafts  
812 Center;

813 \* \* \* (iv) The grounds of the Mississippi  
814 Children's Museum; and



815                   \* \* \* (v) The grounds of the Mississippi Arts and  
816 Entertainment Center.

817           **SECTION 15.** Section 27-19-56.489, Mississippi Code of 1972,  
818 is amended as follows:

819           27-19-56.489. (1) Any owner of a motor vehicle who is a  
820 resident of this state, upon payment of the road and bridge  
821 privilege taxes, ad valorem taxes and registration fees as  
822 prescribed by law for private carriers of passengers, pickup  
823 trucks and other noncommercial motor vehicles, and upon payment of  
824 an additional fee in the amount provided in subsection (3) of this  
825 section, shall be issued a distinctive license tag for each motor  
826 vehicle registered in his name, which shall be of such color and  
827 design as the Department of Revenue, with the advice of the  
828 Mississippi Fair Commission, may prescribe. The words "Dixie  
829 National Livestock Show and Rodeo" shall be featured prominently  
830 on the license tag. The Department of Revenue shall prescribe  
831 such letters or numbers, or both, as may be necessary to  
832 distinguish each license tag.

833           (2) Application for the distinctive license tags authorized  
834 by this section shall be made to the county tax collector on forms  
835 prescribed by the Department of Revenue. The application and the  
836 additional fee imposed under subsection (3) of this section, less  
837 Two Dollars (\$2.00) to be retained by the tax collector, shall be  
838 remitted to the Department of Revenue on a monthly basis as  
839 prescribed by the department. The portion of the additional fee



840 retained by the tax collector shall be deposited into the county  
841 general fund.

842 (3) Beginning with any registration year commencing on or  
843 after July 1, 2019, any person applying for a distinctive license  
844 tag under this section shall pay an additional fee in the amount  
845 of Thirty Dollars (\$30.00) for each distinctive license tag  
846 applied for under this section, which shall be in addition to all  
847 other taxes and fees. The additional fee paid shall be for a  
848 period of time to run concurrently with the vehicle's established  
849 license tag year. The additional fee is due and payable at the  
850 time the original application is made for a distinctive license  
851 tag under this section and thereafter annually at the time of  
852 renewal registration as long as the owner retains the distinctive  
853 license tag. If the owner does not wish to retain the distinctive  
854 license tag, he or she must surrender it to the local county tax  
855 collector.

856 (4) The Department of Revenue shall deposit all fees into  
857 the State Treasury on the day collected. At the end of each  
858 month, the Department of Revenue shall certify the total fees  
859 collected under this section to the State Treasurer who shall  
860 distribute such collections as follows:

861 (a) Twenty-four Dollars (\$24.00) of each additional fee  
862 collected on distinctive license tags issued pursuant to this  
863 section shall be deposited into the special fund created in  
864 subsection (7) of this section.



865 (b) One Dollar (\$1.00) of each additional fee collected  
866 on distinctive license tags issued pursuant to this section shall  
867 be deposited into the Mississippi Burn Care Fund created pursuant  
868 to Section 7-9-70.

869 (c) Two Dollars (\$2.00) of each additional fee  
870 collected on distinctive license tags issued pursuant to this  
871 section shall be deposited to the credit of the State Highway Fund  
872 to be expended solely for the repair, maintenance, construction or  
873 reconstruction of highways.

874 (d) One Dollar (\$1.00) of each additional fee collected  
875 on distinctive license tags issued pursuant to this section shall  
876 be deposited to the credit of the special fund created in Section  
877 27-19-44.2.

878 (5) A regular license tag must be properly displayed as  
879 required by law until replaced by a distinctive license tag under  
880 this section. The regular license tag must be surrendered to the  
881 tax collector upon issuance of the distinctive license tag under  
882 this section. The tax collector shall issue up to two (2) license  
883 decals for each distinctive license tag issued under this section,  
884 which will expire the same month and year as the license tag.

885 (6) In the case of loss or theft of a distinctive license  
886 tag issued under this section, the owner may make application and  
887 affidavit for a replacement distinctive license tag as provided by  
888 Section 27-19-37. The fee for a replacement distinctive license  
889 tag shall be Ten Dollars (\$10.00). The tax collector receiving



890 such application and affidavit shall be entitled to retain and  
891 deposit into the county general fund five percent (5%) of the fee  
892 for such replacement license tag and the remainder shall be  
893 distributed in the same manner as funds from the sale of regular  
894 and distinctive license tags issued under this section.

895 (7) There is established in the State Treasury a special  
896 fund which shall consist of monies deposited therein under  
897 subsection (4) of this section. Monies in the fund may be  
898 expended by the Mississippi Fair Commission, upon appropriation by  
899 the Legislature, for the benefit and use of the State Fairgrounds  
900 located at or around 1207 Mississippi Street, Jackson, Mississippi  
901 39202. Unexpended amounts remaining in the fund at the end of a  
902 fiscal year shall not lapse into the State General Fund, and any  
903 interest earned or investment earnings on amounts in the fund  
904 shall be deposited to the credit of the fund.

905 **SECTION 16.** Section 29-5-2, Mississippi Code of 1972, is  
906 amended as follows:

907 29-5-2. The duties of the Department of Finance and  
908 Administration shall be as follows:

909 (a) (i) To exercise general supervision and care over  
910 and keep in good condition the following state property located in  
911 the City of Jackson: the New State Capitol Building, the Woolfolk  
912 State Office Building and Parking Garage, the Carroll Gartin  
913 Justice Building, the Walter Sillers Office Building and Parking  
914 Garage, the War Veterans' Memorial Building, the Charlotte Capers



915 Building, the William F. Winter Archives and History Building, the  
916 Mississippi Museum Complex, the Gulf, Mobile and Ohio Train Depot  
917 (GM&O Depot), the Old State Capitol Building, the Governor's  
918 Mansion, the Heber Ladner Building, the Robert E. Lee Office  
919 Building, the Robert E. Lee Parking Garage, the former Naval  
920 Reserve Center, 515 East Amite Street, 620 North Street, 660 North  
921 Street, 700 North State Street, 350 High Street, 401 North Lamar  
922 Street, 455 North Lamar Street, the State Records Center, the  
923 Robert G. Clark, Jr. Building, the Mississippi State Fairgrounds  
924 Complex, located at or around 1207 Mississippi Street, Jackson,  
925 Mississippi 39202, the former Central High Building, the  
926 Mississippi Workers' Compensation Commission Office Building, as  
927 well as all state-owned or leased buildings situated on seat of  
928 government property.

929 (ii) To exercise general supervision and care over  
930 and keep in good condition the Dr. Eldon Langston Bolton Building  
931 located in Biloxi, Mississippi.

932 (iii) To exercise general supervision and care  
933 over and keep in good condition the State Service Center, located  
934 at the intersection of U.S. Highway 49 and John Merl Tatum  
935 Industrial Drive in Hattiesburg, Mississippi.

936 (iv) To exercise general supervision and care over  
937 and keep in good condition any property purchased, constructed or  
938 otherwise acquired by the State of Mississippi for conducting  
939 state business and not specifically under the supervision and



940 care \* \* \* of any other state entity, but which is reasonably  
941 assumed the department would be responsible for such, as approved  
942 by the Public Procurement Review Board, including, but not limited  
943 to:

944 1. The National Aeronautics and Space  
945 Administration (NASA) Shared Services Center and Lockheed Martin  
946 Building at Stennis Space Center;

947 2. The Mississippi Sports Hall of Fame;

948 3. The Mississippi Crafts Center;

949 4. The Mississippi Children's Museum; and

950 5. The Mississippi Arts and Entertainment  
951 Center.

952 (b) To assign suitable office space for the various  
953 state departments, officers and employees who are provided with an  
954 office in any of the buildings under the jurisdiction or control  
955 of the Department of Finance and Administration. However, the  
956 assignment of space in the New Capitol Building shall be  
957 designated by duly passed resolution of the combined Senate Rules  
958 Committee and the House Management Committee, meeting as a joint  
959 committee, approved by the Lieutenant Governor and Speaker of the  
960 House of Representatives. A majority vote of the members of the  
961 Senate Rules Committee and a majority vote of the members of the  
962 House Management Committee shall be required on all actions taken,  
963 resolutions or reports adopted, and all other matters considered  
964 by the full combined committee on occasions when the Senate Rules



965 Committee and the House Management Committee shall meet as a full  
966 combined committee.

967 (c) To approve or disapprove with the concurrence of  
968 the Public Procurement Review Board, any lease or rental  
969 agreements by any state agency or department, including any state  
970 agency financed entirely by federal and special funds, for space  
971 outside the buildings under the jurisdiction of the Department of  
972 Finance and Administration, including space necessary for parking  
973 to be used by state employees who work in the Woolfolk Building,  
974 the Carroll Gartin Justice Building or the Walter Sillers Office  
975 Building. In no event shall any employee, officer, department,  
976 federally funded agency or bureau of the state be authorized to  
977 enter into a lease or rental agreement without prior approval of  
978 the Department of Finance and Administration and the Public  
979 Procurement Review Board.

980 The Department of Finance and Administration is authorized to  
981 use architects, engineers, building inspectors and other personnel  
982 for the purpose of making inspections as may be deemed necessary  
983 in carrying out its duties and maintaining the facilities.

984 This section is not intended to apply to locations for which  
985 the Department of Finance and Administration has decided to  
986 solicit proposals in accordance with subsection (e) of this  
987 section.

988 (d) To acquire by lease, lease-purchase agreement, or  
989 otherwise, as provided in Section 27-104-107, and to assign





990 through the Office of General Services, by lease or sublease  
991 agreement from the office, and with the concurrence of the Public  
992 Procurement Review Board, to any state agency or department,  
993 including any state agency financed entirely by federal and  
994 special funds, appropriate office space in the buildings acquired.

995 (e) To solicit and approve or disapprove,  
996 notwithstanding any rule of law to the contrary, and with the  
997 concurrence of the Public Procurement Review Board, any lease, use  
998 or rental agreement for a charge or other consideration for space  
999 not exceeding three thousand (3,000) square feet in any individual  
1000 building listed in subsection (a) of this section, with a private  
1001 entry who will provide food and/or catering services for state  
1002 employees, visitors and the general public.

1003 The department shall select the entity using a competitive  
1004 process which shall be publicly advertised. In addition to  
1005 satisfying any other requirements for the Public Procurement  
1006 Review Board's approval, the department must demonstrate that any  
1007 agreement entered into under this section will neither result in a  
1008 net cost to the state, nor impair or impede the function of state  
1009 agencies at such location.

1010 **SECTION 17.** Section 27-104-7, Mississippi Code of 1972, is  
1011 amended as follows:

1012 27-104-7. (1) (a) There is created the Public Procurement  
1013 Review Board, which shall be reconstituted on January 1, 2018, and  
1014 shall be composed of the following members:



1015 (i) Three (3) individuals appointed by the  
1016 Governor with the advice and consent of the Senate;  
1017 (ii) Two (2) individuals appointed by the  
1018 Lieutenant Governor with the advice and consent of the Senate; and  
1019 (iii) The Executive Director of the Department of  
1020 Finance and Administration, serving as an ex officio and nonvoting  
1021 member.

1022 (b) The initial terms of each appointee shall be as  
1023 follows:

1024 (i) One (1) member appointed by the Governor to  
1025 serve for a term ending on June 30, 2019;

1026 (ii) One (1) member appointed by the Governor to  
1027 serve for a term ending on June 30, 2020;

1028 (iii) One (1) member appointed by the Governor to  
1029 serve for a term ending on June 30, 2021;

1030 (iv) One (1) member appointed by the Lieutenant  
1031 Governor to serve for a term ending on June 30, 2019; and

1032 (v) One (1) member appointed by the Lieutenant  
1033 Governor to serve for a term ending on June 30, 2020.

1034 After the expiration of the initial terms, all appointed  
1035 members' terms shall be for a period of four (4) years from the  
1036 expiration date of the previous term, and until such time as the  
1037 member's successor is duly appointed and qualified.

1038 (c) When appointing members to the Public Procurement  
1039 Review Board, the Governor and Lieutenant Governor shall take into



1040 consideration persons who possess at least five (5) years of  
1041 management experience in general business, health care or finance  
1042 for an organization, corporation or other public or private  
1043 entity. Any person, or any employee or owner of a company, who  
1044 receives any grants, procurements or contracts that are subject to  
1045 approval under this section shall not be appointed to the Public  
1046 Procurement Review Board. Any person, or any employee or owner of  
1047 a company, who is a principal of the source providing a personal  
1048 or professional service shall not be appointed to the Public  
1049 Procurement Review Board if the principal owns or controls a  
1050 greater than five percent (5%) interest or has an ownership value  
1051 of One Million Dollars (\$1,000,000.00) in the source's business,  
1052 whichever is smaller. No member shall be an officer or employee  
1053 of the State of Mississippi while serving as a voting member on  
1054 the Public Procurement Review Board.

1055 (d) Members of the Public Procurement Review Board  
1056 shall be entitled to per diem as authorized by Section 25-3-69 and  
1057 travel reimbursement as authorized by Section 25-3-41.

1058 (e) The members of the Public Procurement Review Board  
1059 shall elect a chair from among the membership, and he or she shall  
1060 preside over the meetings of the board. The board shall annually  
1061 elect a vice chair, who shall serve in the absence of the chair.  
1062 No business shall be transacted, including the adoption of rules  
1063 of procedure, without the presence of a quorum of the board.  
1064 Three (3) members shall be a quorum. No action shall be valid



1065 unless approved by a majority of the members present and voting,  
1066 entered upon the minutes of the board and signed by the chair.  
1067 Necessary clerical and administrative support for the board shall  
1068 be provided by the Department of Finance and Administration.  
1069 Minutes shall be kept of the proceedings of each meeting, copies  
1070 of which shall be filed on a monthly basis with the chairs of the  
1071 Accountability, Efficiency and Transparency Committees of the  
1072 Senate and House of Representatives and the chairs of the  
1073 Appropriations Committees of the Senate and House of  
1074 Representatives.

1075 (2) The Public Procurement Review Board shall have the  
1076 following powers and responsibilities:

1077 (a) Approve all purchasing regulations governing the  
1078 purchase or lease by any agency, as defined in Section 31-7-1, of  
1079 commodities and equipment, except computer equipment acquired  
1080 pursuant to Sections 25-53-1 through 25-53-29;

1081 (b) Adopt regulations governing the approval of  
1082 contracts let for the construction and maintenance of state  
1083 buildings and other state facilities as well as related contracts  
1084 for architectural and engineering services.

1085 The provisions of this paragraph (b) shall not apply to such  
1086 contracts involving buildings and other facilities of state  
1087 institutions of higher learning which are self-administered as  
1088 provided under this paragraph (b) or Section 37-101-15(m);



1089 (c) Adopt regulations governing any lease or rental  
1090 agreement by any state agency or department, including any state  
1091 agency financed entirely by federal funds, for space outside the  
1092 buildings under the jurisdiction of the Department of Finance and  
1093 Administration. These regulations shall require each agency  
1094 requesting to lease such space to provide the following  
1095 information that shall be published by the Department of Finance  
1096 and Administration on its website: the agency to lease the space;  
1097 the terms of the lease; the approximate square feet to be leased;  
1098 the use for the space; a description of a suitable space; the  
1099 general location desired for the leased space; the contact  
1100 information for a person from the agency; the deadline date for  
1101 the agency to have received a lease proposal; any other specific  
1102 terms or conditions of the agency; and any other information  
1103 deemed appropriate by the Division of Real Property Management of  
1104 the Department of Finance and Administration or the Public  
1105 Procurement Review Board. The information shall be provided  
1106 sufficiently in advance of the time the space is needed to allow  
1107 the Division of Real Property Management of the Department of  
1108 Finance and Administration to review and preapprove the lease  
1109 before the time for advertisement begins;

1110 (d) Adopt, in its discretion, regulations to set aside  
1111 at least five percent (5%) of anticipated annual expenditures for  
1112 the purchase of commodities from minority businesses; however, all  
1113 such set-aside purchases shall comply with all purchasing



1114 regulations promulgated by the department and shall be subject to  
1115 all bid requirements. Set-aside purchases for which competitive  
1116 bids are required shall be made from the lowest and best minority  
1117 business bidder; however, if no minority bid is available or if  
1118 the minority bid is more than two percent (2%) higher than the  
1119 lowest bid, then bids shall be accepted and awarded to the lowest  
1120 and best bidder. However, the provisions in this paragraph shall  
1121 not be construed to prohibit the rejection of a bid when only one  
1122 (1) bid is received. Such rejection shall be placed in the  
1123 minutes. For the purposes of this paragraph, the term "minority  
1124 business" means a business which is owned by a person who is a  
1125 citizen or lawful permanent resident of the United States and who  
1126 is:

1127 (i) Black: having origins in any of the black  
1128 racial groups of Africa;

1129 (ii) Hispanic: of Mexican, Puerto Rican, Cuban,  
1130 Central or South American, or other Spanish or Portuguese culture  
1131 or origin regardless of race;

1132 (iii) Asian-American: having origins in any of  
1133 the original people of the Far East, Southeast Asia, the Indian  
1134 subcontinent, or the Pacific Islands;

1135 (iv) American Indian or Alaskan Native: having  
1136 origins in any of the original people of North America; or

1137 (v) Female;



1138 (e) In consultation with and approval by the Chairs of  
1139 the Senate and House Public Property Committees, approve leases,  
1140 for a term not to exceed eighteen (18) months, entered into by  
1141 state agencies for the purpose of providing parking arrangements  
1142 for state employees who work in the Woolfolk Building, the Carroll  
1143 Gartin Justice Building or the Walter Sillers Office Building;

1144 (f) (i) Except as otherwise provided in subparagraph  
1145 (ii) of this paragraph, promulgate rules and regulations governing  
1146 the solicitation and selection of contractual services personnel,  
1147 including personal and professional services contracts for any  
1148 form of consulting, policy analysis, public relations, marketing,  
1149 public affairs, legislative advocacy services or any other  
1150 contract that the board deems appropriate for oversight, with the  
1151 exception of:

1152 1. Any personal service contracts entered  
1153 into by any agency that employs only nonstate service employees as  
1154 defined in Section 25-9-107(c);

1155 2. Any personal service contracts entered  
1156 into for computer or information technology-related services  
1157 governed by the Mississippi Department of Information Technology  
1158 Services;

1159 3. Any personal service contracts entered  
1160 into by the individual state institutions of higher learning;

1161 4. Any personal service contracts entered  
1162 into by the Mississippi Department of Transportation;



1163                   5. Any personal service contracts entered  
1164 into by the Department of Human Services through June 30, 2019,  
1165 which the Executive Director of the Department of Human Services  
1166 determines would be useful in establishing and operating the  
1167 Department of Child Protection Services;

1168                   6. Any personal service contracts entered  
1169 into by the Department of Child Protection Services through June  
1170 30, 2019;

1171                   7. Any contracts for entertainers and/or  
1172 performers at the Mississippi State Fairgrounds located at or  
1173 around 1207 Mississippi Street, Jackson, Mississippi 39202,  
1174 entered into by the Mississippi Fair Commission;

1175                   8. Any contracts entered into by the  
1176 Department of Finance and Administration when procuring aircraft  
1177 maintenance, parts, equipment and/or services;

1178                   9. Any contract entered into by the  
1179 Department of Public Safety for service on specialized equipment  
1180 and/or software required for the operation of such specialized  
1181 equipment for use by the Office of Forensics Laboratories;

1182                   10. Any personal or professional service  
1183 contract entered into by the Mississippi Department of Health or  
1184 the Department of Revenue solely in connection with their  
1185 respective responsibilities under the Mississippi Medical Cannabis  
1186 Act from February 2, 2022, through June 30, 2026;





1187                   11. Any contract for attorney, accountant,  
1188 actuary auditor, architect, engineer, anatomical pathologist, or  
1189 utility rate expert services;

1190                   12. Any personal service contracts approved  
1191 by the Executive Director of the Department of Finance and  
1192 Administration and entered into by the Coordinator of Mental  
1193 Health Accessibility through June 30, 2022;

1194                   13. Any personal or professional services  
1195 contract entered into by the State Department of Health in  
1196 carrying out its responsibilities under the ARPA Rural Water  
1197 Associations Infrastructure Grant Program through June 30, 2026;  
1198 and

1199                   14. And any personal or professional services  
1200 contract entered into by the Mississippi Department of  
1201 Environmental Quality in carrying out its responsibilities under  
1202 the Mississippi Municipality and County Water Infrastructure Grant  
1203 Program Act of 2022, through June 30, 2026.

1204           Any such rules and regulations shall provide for maintaining  
1205 continuous internal audit covering the activities of such agency  
1206 affecting its revenue and expenditures as required under Section  
1207 7-7-3(6) (d). Any rules and regulation changes related to personal  
1208 and professional services contracts that the Public Procurement  
1209 Review Board may propose shall be submitted to the Chairs of the  
1210 Accountability, Efficiency and Transparency Committees of the  
1211 Senate and House of Representatives and the Chairs of the



1212 Appropriation Committees of the Senate and House of  
1213 Representatives at least fifteen (15) days before the board votes  
1214 on the proposed changes, and those rules and regulation changes,  
1215 if adopted, shall be promulgated in accordance with the  
1216 Mississippi Administrative Procedures Act.

1217                   (ii) From and after July 1, 2024, the Public  
1218 Procurement Review Board shall promulgate rules and regulations  
1219 that require the Department of Finance and Administration to  
1220 conduct personal and professional services solicitations as  
1221 provided in subparagraph (i) of this paragraph for those services  
1222 in excess of Seventy-five Thousand Dollars (\$75,000.00) for the  
1223 Department of Marine Resources, the Department of Wildlife,  
1224 Fisheries and Parks, the Mississippi Emergency Management Agency  
1225 and the Mississippi Development Authority, with assistance to be  
1226 provided from these entities. Any powers that have been conferred  
1227 upon agencies in order to comply with the provisions of this  
1228 section for personal and professional services solicitations shall  
1229 be conferred upon the Department of Finance and Administration to  
1230 conduct personal and professional services solicitations for the  
1231 Department of Marine Resources, the Department of Wildlife,  
1232 Fisheries and Parks, the Mississippi Emergency Management Agency  
1233 and the Mississippi Development Authority for those services in  
1234 excess of Seventy-five Thousand Dollars (\$75,000.00). The  
1235 Department of Finance and Administration shall make any  
1236 submissions that are required to be made by other agencies to the



1237 Public Procurement Review Board for the Department of Marine  
1238 Resources, the Department of Wildlife, Fisheries and Parks, the  
1239 Mississippi Emergency Management Agency and the Mississippi  
1240 Development Authority.

1241 The provisions of this subparagraph (ii) shall stand repealed  
1242 on June 30, 2027;

1243 (g) Approve all personal and professional services  
1244 contracts involving the expenditures of funds in excess of  
1245 Seventy-five Thousand Dollars (\$75,000.00), except as provided in  
1246 paragraph (f) of this subsection (2) and in subsection (8);

1247 (h) Develop mandatory standards with respect to  
1248 contractual services personnel that require invitations for public  
1249 bid, requests for proposals, record keeping and financial  
1250 responsibility of contractors. The Public Procurement Review  
1251 Board shall, unless exempted under this paragraph (h) or under  
1252 paragraph (i) or (o) of this subsection (2), require the agency  
1253 involved to submit the procurement to a competitive procurement  
1254 process, and may reserve the right to reject any or all resulting  
1255 procurements;

1256 (i) Prescribe certain circumstances by which agency  
1257 heads may enter into contracts for personal and professional  
1258 services without receiving prior approval from the Public  
1259 Procurement Review Board. The Public Procurement Review Board may  
1260 establish a preapproved list of providers of various personal and



1261 professional services for set prices with which state agencies may  
1262 contract without bidding or prior approval from the board;

1263 (i) Agency requirements may be fulfilled by  
1264 procuring services performed incident to the state's own programs.  
1265 The agency head shall determine in writing whether the price  
1266 represents a fair market value for the services. When the  
1267 procurements are made from other governmental entities, the  
1268 private sector need not be solicited; however, these contracts  
1269 shall still be submitted for approval to the Public Procurement  
1270 Review Board.

1271 (ii) Contracts between two (2) state agencies,  
1272 both under Public Procurement Review Board purview, shall not  
1273 require Public Procurement Review Board approval. However, the  
1274 contracts shall still be entered into the enterprise resource  
1275 planning system;

1276 (j) Provide standards for the issuance of requests for  
1277 proposals, the evaluation of proposals received, consideration of  
1278 costs and quality of services proposed, contract negotiations, the  
1279 administrative monitoring of contract performance by the agency  
1280 and successful steps in terminating a contract;

1281 (k) Present recommendations for governmental  
1282 privatization and to evaluate privatization proposals submitted by  
1283 any state agency;

1284 (l) Authorize personal and professional service  
1285 contracts to be effective for more than one (1) year provided a



1286 funding condition is included in any such multiple year contract,  
1287 except the State Board of Education, which shall have the  
1288 authority to enter into contractual agreements for student  
1289 assessment for a period up to ten (10) years. The State Board of  
1290 Education shall procure these services in accordance with the  
1291 Public Procurement Review Board procurement regulations;

1292 (m) Request the State Auditor to conduct a performance  
1293 audit on any personal or professional service contract;

1294 (n) Prepare an annual report to the Legislature  
1295 concerning the issuance of personal and professional services  
1296 contracts during the previous year, collecting any necessary  
1297 information from state agencies in making such report;

1298 (o) Develop and implement the following standards and  
1299 procedures for the approval of any sole source contract for  
1300 personal and professional services regardless of the value of the  
1301 procurement:

1302 (i) For the purposes of this paragraph (o), the  
1303 term "sole source" means only one (1) source is available that can  
1304 provide the required personal or professional service.

1305 (ii) An agency that has been issued a binding,  
1306 valid court order mandating that a particular source or provider  
1307 must be used for the required service must include a copy of the  
1308 applicable court order in all future sole source contract reviews  
1309 for the particular personal or professional service referenced in  
1310 the court order.



1311 (iii) Any agency alleging to have a sole source  
1312 for any personal or professional service, other than those  
1313 exempted under paragraph (f) of this subsection (2) and subsection  
1314 (8), shall publish on the procurement portal website established  
1315 by Sections 25-53-151 and 27-104-165, for at least fourteen (14)  
1316 days, the terms of the proposed contract for those services. In  
1317 addition, the publication shall include, but is not limited to,  
1318 the following information:

1319 1. The personal or professional service  
1320 offered in the contract;

1321 2. An explanation of why the personal or  
1322 professional service is the only one that can meet the needs of  
1323 the agency;

1324 3. An explanation of why the source is the  
1325 only person or entity that can provide the required personal or  
1326 professional service;

1327 4. An explanation of why the amount to be  
1328 expended for the personal or professional service is reasonable;  
1329 and

1330 5. The efforts that the agency went through  
1331 to obtain the best possible price for the personal or professional  
1332 service.

1333 (iv) If any person or entity objects and proposes  
1334 that the personal or professional service published under  
1335 subparagraph (iii) of this paragraph (o) is not a sole source



1336 service and can be provided by another person or entity, then the  
1337 objecting person or entity shall notify the Public Procurement  
1338 Review Board and the agency that published the proposed sole  
1339 source contract with a detailed explanation of why the personal or  
1340 professional service is not a sole source service.

1341 (v) 1. If the agency determines after review that  
1342 the personal or professional service in the proposed sole source  
1343 contract can be provided by another person or entity, then the  
1344 agency must withdraw the sole source contract publication from the  
1345 procurement portal website and submit the procurement of the  
1346 personal or professional service to an advertised competitive bid  
1347 or selection process.

1348 2. If the agency determines after review that  
1349 there is only one (1) source for the required personal or  
1350 professional service, then the agency may appeal to the Public  
1351 Procurement Review Board. The agency has the burden of proving  
1352 that the personal or professional service is only provided by one  
1353 (1) source.

1354 3. If the Public Procurement Review Board has  
1355 any reasonable doubt as to whether the personal or professional  
1356 service can only be provided by one (1) source, then the agency  
1357 must submit the procurement of the personal or professional  
1358 service to an advertised competitive bid or selection process. No  
1359 action taken by the Public Procurement Review Board in this appeal



1360 process shall be valid unless approved by a majority of the  
1361 members of the Public Procurement Review Board present and voting.

1362 (vi) The Public Procurement Review Board shall  
1363 prepare and submit a quarterly report to the House of  
1364 Representatives and Senate Accountability, Efficiency and  
1365 Transparency Committees that details the sole source contracts  
1366 presented to the Public Procurement Review Board and the reasons  
1367 that the Public Procurement Review Board approved or rejected each  
1368 contract. These quarterly reports shall also include the  
1369 documentation and memoranda required in subsection (4) of this  
1370 section. An agency that submitted a sole source contract shall be  
1371 prepared to explain the sole source contract to each committee by  
1372 December 15 of each year upon request by the committee;

1373 (p) Assess any fines and administrative penalties  
1374 provided for in Sections 31-7-401 through 31-7-423.

1375 (3) All submissions shall be made sufficiently in advance of  
1376 each monthly meeting of the Public Procurement Review Board as  
1377 prescribed by the Public Procurement Review Board. If the Public  
1378 Procurement Review Board rejects any contract submitted for review  
1379 or approval, the Public Procurement Review Board shall clearly set  
1380 out the reasons for its action, including, but not limited to, the  
1381 policy that the agency has violated in its submitted contract and  
1382 any corrective actions that the agency may take to amend the  
1383 contract to comply with the rules and regulations of the Public  
1384 Procurement Review Board.





1385 (4) All sole source contracts for personal and professional  
1386 services awarded by state agencies, other than those exempted  
1387 under Section 27-104-7(2) (f) and (8), whether approved by an  
1388 agency head or the Public Procurement Review Board, shall contain  
1389 in the procurement file a written determination for the approval,  
1390 using a request form furnished by the Public Procurement Review  
1391 Board. The written determination shall document the basis for the  
1392 determination, including any market analysis conducted in order to  
1393 ensure that the service required was practicably available from  
1394 only one (1) source. A memorandum shall accompany the request  
1395 form and address the following four (4) points:

1396 (a) Explanation of why this service is the only service  
1397 that can meet the needs of the purchasing agency;

1398 (b) Explanation of why this vendor is the only  
1399 practicably available source from which to obtain this service;

1400 (c) Explanation of why the price is considered  
1401 reasonable; and

1402 (d) Description of the efforts that were made to  
1403 conduct a noncompetitive negotiation to get the best possible  
1404 price for the taxpayers.

1405 (5) In conjunction with the State Personnel Board, the  
1406 Public Procurement Review Board shall develop and promulgate rules  
1407 and regulations to define the allowable legal relationship between  
1408 contract employees and the contracting departments, agencies and  
1409 institutions of state government under the jurisdiction of the



1410 State Personnel Board, in compliance with the applicable rules and  
1411 regulations of the federal Internal Revenue Service (IRS) for  
1412 federal employment tax purposes. Under these regulations, the  
1413 usual common law rules are applicable to determine and require  
1414 that such worker is an independent contractor and not an employee,  
1415 requiring evidence of lawful behavioral control, lawful financial  
1416 control and lawful relationship of the parties. Any state  
1417 department, agency or institution shall only be authorized to  
1418 contract for personnel services in compliance with those  
1419 regulations.

1420 (6) No member of the Public Procurement Review Board shall  
1421 use his or her official authority or influence to coerce, by  
1422 threat of discharge from employment, or otherwise, the purchase of  
1423 commodities, the contracting for personal or professional  
1424 services, or the contracting for public construction under this  
1425 chapter.

1426 (7) Notwithstanding any other laws or rules to the contrary,  
1427 the provisions of subsection (2) of this section shall not be  
1428 applicable to the Mississippi State Port Authority at Gulfport.

1429 (8) Nothing in this section shall impair or limit the  
1430 authority of the Board of Trustees of the Public Employees'  
1431 Retirement System to enter into any personal or professional  
1432 services contracts directly related to their constitutional  
1433 obligation to manage the trust funds, including, but not limited  
1434 to, actuarial, custodial banks, cash management, investment



1435 consultant and investment management contracts. Nothing in this  
1436 section shall impair or limit the authority of the State Treasurer  
1437 to enter into any personal or professional services contracts  
1438 involving the management of trust funds, including, but not  
1439 limited to, actuarial, custodial banks, cash management,  
1440 investment consultant and investment management contracts.

1441 (9) Through December 31, 2024, the provisions of this  
1442 section related to rental agreements or leasing of real property  
1443 for the purpose of conducting agency business shall not apply to  
1444 the Office of Workforce Development created in Section 37-153-7.

1445 **SECTION 18.** Section 27-65-75, Mississippi Code of 1972, is  
1446 amended as follows:

1447 27-65-75. On or before the fifteenth day of each month, the  
1448 revenue collected under the provisions of this chapter during the  
1449 preceding month shall be paid and distributed as follows:

1450 (1) (a) On or before August 15, 1992, and each succeeding  
1451 month thereafter through July 15, 1993, eighteen percent (18%) of  
1452 the total sales tax revenue collected during the preceding month  
1453 under the provisions of this chapter, except that collected under  
1454 the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on  
1455 business activities within a municipal corporation shall be  
1456 allocated for distribution to the municipality and paid to the  
1457 municipal corporation. Except as otherwise provided in this  
1458 paragraph (a), on or before August 15, 1993, and each succeeding  
1459 month thereafter, eighteen and one-half percent (18-1/2%) of the



1460 total sales tax revenue collected during the preceding month under  
1461 the provisions of this chapter, except that collected under the  
1462 provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and  
1463 27-65-24, on business activities within a municipal corporation  
1464 shall be allocated for distribution to the municipality and paid  
1465 to the municipal corporation. However, in the event the State  
1466 Auditor issues a certificate of noncompliance pursuant to Section  
1467 21-35-31, the Department of Revenue shall withhold ten percent  
1468 (10%) of the allocations and payments to the municipality that  
1469 would otherwise be payable to the municipality under this  
1470 paragraph (a) until such time that the department receives written  
1471 notice of the cancellation of a certificate of noncompliance from  
1472 the State Auditor.

1473 A municipal corporation, for the purpose of distributing the  
1474 tax under this subsection, shall mean and include all incorporated  
1475 cities, towns and villages.

1476 Monies allocated for distribution and credited to a municipal  
1477 corporation under this paragraph may be pledged as security for a  
1478 loan if the distribution received by the municipal corporation is  
1479 otherwise authorized or required by law to be pledged as security  
1480 for such a loan.

1481 In any county having a county seat that is not an  
1482 incorporated municipality, the distribution provided under this  
1483 subsection shall be made as though the county seat was an  
1484 incorporated municipality; however, the distribution to the



1485 municipality shall be paid to the county treasury in which the  
1486 municipality is located, and those funds shall be used for road,  
1487 bridge and street construction or maintenance in the county.

1488 (b) On or before August 15, 2006, and each succeeding  
1489 month thereafter, eighteen and one-half percent (18-1/2%) of the  
1490 total sales tax revenue collected during the preceding month under  
1491 the provisions of this chapter, except that collected under the  
1492 provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on  
1493 business activities on the campus of a state institution of higher  
1494 learning or community or junior college whose campus is not  
1495 located within the corporate limits of a municipality, shall be  
1496 allocated for distribution to the state institution of higher  
1497 learning or community or junior college and paid to the state  
1498 institution of higher learning or community or junior college.

1499 (c) On or before August 15, 2018, and each succeeding  
1500 month thereafter until August 14, 2019, two percent (2%) of the  
1501 total sales tax revenue collected during the preceding month under  
1502 the provisions of this chapter, except that collected under the  
1503 provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and  
1504 27-65-24, on business activities within the corporate limits of  
1505 the City of Jackson, Mississippi, shall be deposited into the  
1506 Capitol Complex Improvement District Project Fund created in  
1507 Section 29-5-215. On or before August 15, 2019, and each  
1508 succeeding month thereafter until August 14, 2020, four percent  
1509 (4%) of the total sales tax revenue collected during the preceding



1510 month under the provisions of this chapter, except that collected  
1511 under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21  
1512 and 27-65-24, on business activities within the corporate limits  
1513 of the City of Jackson, Mississippi, shall be deposited into the  
1514 Capitol Complex Improvement District Project Fund created in  
1515 Section 29-5-215. On or before August 15, 2020, and each  
1516 succeeding month thereafter through July 15, 2023, six percent  
1517 (6%) of the total sales tax revenue collected during the preceding  
1518 month under the provisions of this chapter, except that collected  
1519 under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21  
1520 and 27-65-24, on business activities within the corporate limits  
1521 of the City of Jackson, Mississippi, shall be deposited into the  
1522 Capitol Complex Improvement District Project Fund created in  
1523 Section 29-5-215. On or before August 15, 2023, and each  
1524 succeeding month thereafter, nine percent (9%) of the total sales  
1525 tax revenue collected during the preceding month under the  
1526 provisions of this chapter, except that collected under the  
1527 provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and  
1528 27-65-24, on business activities within the corporate limits of  
1529 the City of Jackson, Mississippi, shall be deposited into the  
1530 Capitol Complex Improvement District Project Fund created in  
1531 Section 29-5-215.

1532 (d) (i) On or before the fifteenth day of the month  
1533 that the diversion authorized by this section begins, and each  
1534 succeeding month thereafter, eighteen and one-half percent



1535 (18-1/2%) of the total sales tax revenue collected during the  
1536 preceding month under the provisions of this chapter, except that  
1537 collected under the provisions of Sections 27-65-15, 27-65-19(3)  
1538 and 27-65-21, on business activities within a redevelopment  
1539 project area developed under a redevelopment plan adopted under  
1540 the Tax Increment Financing Act (Section 21-45-1 et seq.) shall be  
1541 allocated for distribution to the county in which the project area  
1542 is located if:

1543                               1. The county:  
1544                               a. Borders on the Mississippi Sound and  
1545 the State of Alabama \* \* \*; or  
1546                               b. Is Harrison County, Mississippi, and  
1547 the project area is within a radius of two (2) miles from the  
1548 intersection of Interstate 10 and Menge Avenue;

1549                               2. The county has issued bonds under Section  
1550 21-45-9 to finance all or a portion of a redevelopment project in  
1551 the redevelopment project area;

1552                               3. Any debt service for the indebtedness  
1553 incurred is outstanding; and

1554                               4. A development with a value of Ten Million  
1555 Dollars (\$10,000,000.00) or more is, or will be, located in the  
1556 redevelopment area.

1557                               (ii) Before any sales tax revenue may be allocated  
1558 for distribution to a county under this paragraph, the county  
1559 shall certify to the Department of Revenue that the requirements



1560 of this paragraph have been met, the amount of bonded indebtedness  
1561 that has been incurred by the county for the redevelopment project  
1562 and the expected date the indebtedness incurred by the county will  
1563 be satisfied.

1564 (iii) The diversion of sales tax revenue  
1565 authorized by this paragraph shall begin the month following the  
1566 month in which the Department of Revenue determines that the  
1567 requirements of this paragraph have been met. The diversion shall  
1568 end the month the indebtedness incurred by the county is  
1569 satisfied. All revenue received by the county under this  
1570 paragraph shall be deposited in the fund required to be created in  
1571 the tax increment financing plan under Section 21-45-11 and be  
1572 utilized solely to satisfy the indebtedness incurred by the  
1573 county.

1574 (2) On or before September 15, 1987, and each succeeding  
1575 month thereafter, from the revenue collected under this chapter  
1576 during the preceding month, One Million One Hundred Twenty-five  
1577 Thousand Dollars (\$1,125,000.00) shall be allocated for  
1578 distribution to municipal corporations as defined under subsection  
1579 (1) of this section in the proportion that the number of gallons  
1580 of gasoline and diesel fuel sold by distributors to consumers and  
1581 retailers in each such municipality during the preceding fiscal  
1582 year bears to the total gallons of gasoline and diesel fuel sold  
1583 by distributors to consumers and retailers in municipalities  
1584 statewide during the preceding fiscal year. The Department of





1585 Revenue shall require all distributors of gasoline and diesel fuel  
1586 to report to the department monthly the total number of gallons of  
1587 gasoline and diesel fuel sold by them to consumers and retailers  
1588 in each municipality during the preceding month. The Department  
1589 of Revenue shall have the authority to promulgate such rules and  
1590 regulations as is necessary to determine the number of gallons of  
1591 gasoline and diesel fuel sold by distributors to consumers and  
1592 retailers in each municipality. In determining the percentage  
1593 allocation of funds under this subsection for the fiscal year  
1594 beginning July 1, 1987, and ending June 30, 1988, the Department  
1595 of Revenue may consider gallons of gasoline and diesel fuel sold  
1596 for a period of less than one (1) fiscal year. For the purposes  
1597 of this subsection, the term "fiscal year" means the fiscal year  
1598 beginning July 1 of a year.

1599 (3) On or before September 15, 1987, and on or before the  
1600 fifteenth day of each succeeding month, until the date specified  
1601 in Section 65-39-35, the proceeds derived from contractors' taxes  
1602 levied under Section 27-65-21 on contracts for the construction or  
1603 reconstruction of highways designated under the highway program  
1604 created under Section 65-3-97 shall, except as otherwise provided  
1605 in Section 31-17-127, be deposited into the State Treasury to the  
1606 credit of the State Highway Fund to be used to fund that highway  
1607 program. The Mississippi Department of Transportation shall  
1608 provide to the Department of Revenue such information as is



1609 necessary to determine the amount of proceeds to be distributed  
1610 under this subsection.

1611 (4) On or before August 15, 1994, and on or before the  
1612 fifteenth day of each succeeding month through July 15, 1999, from  
1613 the proceeds of gasoline, diesel fuel or kerosene taxes as  
1614 provided in Section 27-5-101(a)(ii)1, Four Million Dollars  
1615 (\$4,000,000.00) shall be deposited in the State Treasury to the  
1616 credit of a special fund designated as the "State Aid Road Fund,"  
1617 created by Section 65-9-17. On or before August 15, 1999, and on  
1618 or before the fifteenth day of each succeeding month, from the  
1619 total amount of the proceeds of gasoline, diesel fuel or kerosene  
1620 taxes apportioned by Section 27-5-101(a)(ii)1, Four Million  
1621 Dollars (\$4,000,000.00) or an amount equal to twenty-three and  
1622 one-fourth percent (23-1/4%) of those funds, whichever is the  
1623 greater amount, shall be deposited in the State Treasury to the  
1624 credit of the "State Aid Road Fund," created by Section 65-9-17.  
1625 Those funds shall be pledged to pay the principal of and interest  
1626 on state aid road bonds heretofore issued under Sections 19-9-51  
1627 through 19-9-77, in lieu of and in substitution for the funds  
1628 previously allocated to counties under this section. Those funds  
1629 may not be pledged for the payment of any state aid road bonds  
1630 issued after April 1, 1981; however, this prohibition against the  
1631 pledging of any such funds for the payment of bonds shall not  
1632 apply to any bonds for which intent to issue those bonds has been  
1633 published for the first time, as provided by law before March 29,



1634 1981. From the amount of taxes paid into the special fund under  
1635 this subsection and subsection (9) of this section, there shall be  
1636 first deducted and paid the amount necessary to pay the expenses  
1637 of the Office of State Aid Road Construction, as authorized by the  
1638 Legislature for all other general and special fund agencies. The  
1639 remainder of the fund shall be allocated monthly to the several  
1640 counties in accordance with the following formula:

1641 (a) One-third (1/3) shall be allocated to all counties  
1642 in equal shares;

1643 (b) One-third (1/3) shall be allocated to counties  
1644 based on the proportion that the total number of rural road miles  
1645 in a county bears to the total number of rural road miles in all  
1646 counties of the state; and

1647 (c) One-third (1/3) shall be allocated to counties  
1648 based on the proportion that the rural population of the county  
1649 bears to the total rural population in all counties of the state,  
1650 according to the latest federal decennial census.

1651 For the purposes of this subsection, the term "gasoline,  
1652 diesel fuel or kerosene taxes" means such taxes as defined in  
1653 paragraph (f) of Section 27-5-101.

1654 The amount of funds allocated to any county under this  
1655 subsection for any fiscal year after fiscal year 1994 shall not be  
1656 less than the amount allocated to the county for fiscal year 1994.

1657 Any reference in the general laws of this state or the  
1658 Mississippi Code of 1972 to Section 27-5-105 shall mean and be



1659 construed to refer and apply to subsection (4) of Section  
1660 27-65-75.

1661 (5) One Million Six Hundred Sixty-six Thousand Six Hundred  
1662 Sixty-six Dollars (\$1,666,666.00) each month shall be paid into  
1663 the special fund known as the "Educational Facilities Revolving  
1664 Loan Fund" created and existing under the provisions of Section  
1665 37-47-24. Those payments into that fund are to be made on the  
1666 last day of each succeeding month hereafter. This subsection (5)  
1667 shall stand repealed on July 1, 2026.

1668 (6) An amount each month beginning August 15, 1983, through  
1669 November 15, 1986, as specified in Section 6, Chapter 542, Laws of  
1670 1983, shall be paid into the special fund known as the  
1671 Correctional Facilities Construction Fund created in Section 6,  
1672 Chapter 542, Laws of 1983.

1673 (7) On or before August 15, 1992, and each succeeding month  
1674 thereafter through July 15, 2000, two and two hundred sixty-six  
1675 one-thousandths percent (2.266%) of the total sales tax revenue  
1676 collected during the preceding month under the provisions of this  
1677 chapter, except that collected under the provisions of Section  
1678 27-65-17(2), shall be deposited by the department into the School  
1679 Ad Valorem Tax Reduction Fund created under Section 37-61-35. On  
1680 or before August 15, 2000, and each succeeding month thereafter,  
1681 two and two hundred sixty-six one-thousandths percent (2.266%) of  
1682 the total sales tax revenue collected during the preceding month  
1683 under the provisions of this chapter, except that collected under



1684 the provisions of Section 27-65-17(2), shall be deposited into the  
1685 School Ad Valorem Tax Reduction Fund created under Section  
1686 37-61-35 until such time that the total amount deposited into the  
1687 fund during a fiscal year equals Forty-two Million Dollars  
1688 (\$42,000,000.00). Thereafter, the amounts diverted under this  
1689 subsection (7) during the fiscal year in excess of Forty-two  
1690 Million Dollars (\$42,000,000.00) shall be deposited into the  
1691 Education Enhancement Fund created under Section 37-61-33 for  
1692 appropriation by the Legislature as other education needs and  
1693 shall not be subject to the percentage appropriation requirements  
1694 set forth in Section 37-61-33.

1695 (8) On or before August 15, 1992, and each succeeding month  
1696 thereafter, nine and seventy-three one-thousandths percent  
1697 (9.073%) of the total sales tax revenue collected during the  
1698 preceding month under the provisions of this chapter, except that  
1699 collected under the provisions of Section 27-65-17(2), shall be  
1700 deposited into the Education Enhancement Fund created under  
1701 Section 37-61-33.

1702 (9) On or before August 15, 1994, and each succeeding month  
1703 thereafter, from the revenue collected under this chapter during  
1704 the preceding month, Two Hundred Fifty Thousand Dollars  
1705 (\$250,000.00) shall be paid into the State Aid Road Fund.

1706 (10) On or before August 15, 1994, and each succeeding month  
1707 thereafter through August 15, 1995, from the revenue collected  
1708 under this chapter during the preceding month, Two Million Dollars



1709 (\$2,000,000.00) shall be deposited into the Motor Vehicle Ad  
1710 Valorem Tax Reduction Fund established in Section 27-51-105.

1711 (11) Notwithstanding any other provision of this section to  
1712 the contrary, on or before February 15, 1995, and each succeeding  
1713 month thereafter, the sales tax revenue collected during the  
1714 preceding month under the provisions of Section 27-65-17(2) and  
1715 the corresponding levy in Section 27-65-23 on the rental or lease  
1716 of private carriers of passengers and light carriers of property  
1717 as defined in Section 27-51-101 shall be deposited, without  
1718 diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund  
1719 established in Section 27-51-105.

1720 (12) Notwithstanding any other provision of this section to  
1721 the contrary, on or before August 15, 1995, and each succeeding  
1722 month thereafter, the sales tax revenue collected during the  
1723 preceding month under the provisions of Section 27-65-17(1) on  
1724 retail sales of private carriers of passengers and light carriers  
1725 of property, as defined in Section 27-51-101 and the corresponding  
1726 levy in Section 27-65-23 on the rental or lease of these vehicles,  
1727 shall be deposited, after diversion, into the Motor Vehicle Ad  
1728 Valorem Tax Reduction Fund established in Section 27-51-105.

1729 (13) On or before July 15, 1994, and on or before the  
1730 fifteenth day of each succeeding month thereafter, that portion of  
1731 the avails of the tax imposed in Section 27-65-22 that is derived  
1732 from activities held on the Mississippi State Fairgrounds Complex  
1733 located at or around 1207 Mississippi Street, Jackson, Mississippi



1734 39202, shall be paid into a special fund that is created in the  
1735 State Treasury and shall be expended upon legislative  
1736 appropriation solely to defray the costs of repairs and renovation  
1737 at the Trade Mart and Coliseum.

1738 (14) On or before August 15, 1998, and each succeeding month  
1739 thereafter through July 15, 2005, that portion of the avails of  
1740 the tax imposed in Section 27-65-23 that is derived from sales by  
1741 cotton compresses or cotton warehouses and that would otherwise be  
1742 paid into the General Fund shall be deposited in an amount not to  
1743 exceed Two Million Dollars (\$2,000,000.00) into the special fund  
1744 created under Section 69-37-39. On or before August 15, 2007, and  
1745 each succeeding month thereafter through July 15, 2010, that  
1746 portion of the avails of the tax imposed in Section 27-65-23 that  
1747 is derived from sales by cotton compresses or cotton warehouses  
1748 and that would otherwise be paid into the General Fund shall be  
1749 deposited in an amount not to exceed Two Million Dollars  
1750 (\$2,000,000.00) into the special fund created under Section  
1751 69-37-39 until all debts or other obligations incurred by the  
1752 Certified Cotton Growers Organization under the Mississippi Boll  
1753 Weevil Management Act before January 1, 2007, are satisfied in  
1754 full. On or before August 15, 2010, and each succeeding month  
1755 thereafter through July 15, 2011, fifty percent (50%) of that  
1756 portion of the avails of the tax imposed in Section 27-65-23 that  
1757 is derived from sales by cotton compresses or cotton warehouses  
1758 and that would otherwise be paid into the General Fund shall be



1759 deposited into the special fund created under Section 69-37-39  
1760 until such time that the total amount deposited into the fund  
1761 during a fiscal year equals One Million Dollars (\$1,000,000.00).  
1762 On or before August 15, 2011, and each succeeding month  
1763 thereafter, that portion of the avails of the tax imposed in  
1764 Section 27-65-23 that is derived from sales by cotton compresses  
1765 or cotton warehouses and that would otherwise be paid into the  
1766 General Fund shall be deposited into the special fund created  
1767 under Section 69-37-39 until such time that the total amount  
1768 deposited into the fund during a fiscal year equals One Million  
1769 Dollars (\$1,000,000.00).

1770 (15) Notwithstanding any other provision of this section to  
1771 the contrary, on or before September 15, 2000, and each succeeding  
1772 month thereafter, the sales tax revenue collected during the  
1773 preceding month under the provisions of Section  
1774 27-65-19(1)(d)(i)2, and 27-65-19(1)(d)(i)3 shall be deposited,  
1775 without diversion, into the Telecommunications Ad Valorem Tax  
1776 Reduction Fund established in Section 27-38-7.

1777 (16) (a) On or before August 15, 2000, and each succeeding  
1778 month thereafter, the sales tax revenue collected during the  
1779 preceding month under the provisions of this chapter on the gross  
1780 proceeds of sales of a project as defined in Section 57-30-1 shall  
1781 be deposited, after all diversions except the diversion provided  
1782 for in subsection (1) of this section, into the Sales Tax  
1783 Incentive Fund created in Section 57-30-3.





1784           (b) On or before August 15, 2007, and each succeeding  
1785 month thereafter, eighty percent (80%) of the sales tax revenue  
1786 collected during the preceding month under the provisions of this  
1787 chapter from the operation of a tourism project under the  
1788 provisions of Sections 57-26-1 through 57-26-5, shall be  
1789 deposited, after the diversions required in subsections (7) and  
1790 (8) of this section, into the Tourism Project Sales Tax Incentive  
1791 Fund created in Section 57-26-3.

1792           (17) Notwithstanding any other provision of this section to  
1793 the contrary, on or before April 15, 2002, and each succeeding  
1794 month thereafter, the sales tax revenue collected during the  
1795 preceding month under Section 27-65-23 on sales of parking  
1796 services of parking garages and lots at airports shall be  
1797 deposited, without diversion, into the special fund created under  
1798 Section 27-5-101(d).

1799           (18) [Repealed]

1800           (19) (a) On or before August 15, 2005, and each succeeding  
1801 month thereafter, the sales tax revenue collected during the  
1802 preceding month under the provisions of this chapter on the gross  
1803 proceeds of sales of a business enterprise located within a  
1804 redevelopment project area under the provisions of Sections  
1805 57-91-1 through 57-91-11, and the revenue collected on the gross  
1806 proceeds of sales from sales made to a business enterprise located  
1807 in a redevelopment project area under the provisions of Sections  
1808 57-91-1 through 57-91-11 (provided that such sales made to a



1809 business enterprise are made on the premises of the business  
1810 enterprise), shall, except as otherwise provided in this  
1811 subsection (19), be deposited, after all diversions, into the  
1812 Redevelopment Project Incentive Fund as created in Section  
1813 57-91-9.

1814 (b) For a municipality participating in the Economic  
1815 Redevelopment Act created in Sections 57-91-1 through 57-91-11,  
1816 the diversion provided for in subsection (1) of this section  
1817 attributable to the gross proceeds of sales of a business  
1818 enterprise located within a redevelopment project area under the  
1819 provisions of Sections 57-91-1 through 57-91-11, and attributable  
1820 to the gross proceeds of sales from sales made to a business  
1821 enterprise located in a redevelopment project area under the  
1822 provisions of Sections 57-91-1 through 57-91-11 (provided that  
1823 such sales made to a business enterprise are made on the premises  
1824 of the business enterprise), shall be deposited into the  
1825 Redevelopment Project Incentive Fund as created in Section  
1826 57-91-9, as follows:

1827 (i) For the first six (6) years in which payments  
1828 are made to a developer from the Redevelopment Project Incentive  
1829 Fund, one hundred percent (100%) of the diversion shall be  
1830 deposited into the fund;

1831 (ii) For the seventh year in which such payments  
1832 are made to a developer from the Redevelopment Project Incentive



1833 Fund, eighty percent (80%) of the diversion shall be deposited  
1834 into the fund;

1835 (iii) For the eighth year in which such payments  
1836 are made to a developer from the Redevelopment Project Incentive  
1837 Fund, seventy percent (70%) of the diversion shall be deposited  
1838 into the fund;

1839 (iv) For the ninth year in which such payments are  
1840 made to a developer from the Redevelopment Project Incentive Fund,  
1841 sixty percent (60%) of the diversion shall be deposited into the  
1842 fund; and

1843 (v) For the tenth year in which such payments are  
1844 made to a developer from the Redevelopment Project Incentive Fund,  
1845 fifty percent (50%) of the funds shall be deposited into the fund.

1846 (20) On or before January 15, 2007, and each succeeding  
1847 month thereafter, eighty percent (80%) of the sales tax revenue  
1848 collected during the preceding month under the provisions of this  
1849 chapter from the operation of a tourism project under the  
1850 provisions of Sections 57-28-1 through 57-28-5 shall be deposited,  
1851 after the diversions required in subsections (7) and (8) of this  
1852 section, into the Tourism Sales Tax Incentive Fund created in  
1853 Section 57-28-3.

1854 (21) (a) On or before April 15, 2007, and each succeeding  
1855 month thereafter through June 15, 2013, One Hundred Fifty Thousand  
1856 Dollars (\$150,000.00) of the sales tax revenue collected during  
1857 the preceding month under the provisions of this chapter shall be



1858 deposited into the MMEIA Tax Incentive Fund created in Section  
1859 57-101-3.

1860 (b) On or before July 15, 2013, and each succeeding  
1861 month thereafter, One Hundred Fifty Thousand Dollars (\$150,000.00)  
1862 of the sales tax revenue collected during the preceding month  
1863 under the provisions of this chapter shall be deposited into the  
1864 Mississippi Development Authority Job Training Grant Fund created  
1865 in Section 57-1-451.

1866 (22) On or before June 1, 2024, and each succeeding month  
1867 thereafter until December 31, 2057, an amount determined annually  
1868 by the Mississippi Development Authority of the sales tax revenue  
1869 collected during the preceding month under the provisions of this  
1870 chapter shall be deposited into the MMEIA Tax Incentive Fund  
1871 created in Section 18 of \* \* \* Senate Bill No. 2001, 2024 Second  
1872 Extraordinary Session. This amount shall be based on estimated  
1873 payments due within the upcoming year to construction contractors  
1874 pursuant to construction contracts subject to the tax imposed by  
1875 Section 27-65-21 for construction to be performed on the project  
1876 site of a project defined under Section 57-75-5(f)(xxxiii) for the  
1877 coming year.

1878 (23) Notwithstanding any other provision of this section to  
1879 the contrary, on or before August 15, 2009, and each succeeding  
1880 month thereafter, the sales tax revenue collected during the  
1881 preceding month under the provisions of Section 27-65-201 shall be



1882 deposited, without diversion, into the Motor Vehicle Ad Valorem  
1883 Tax Reduction Fund established in Section 27-51-105.

1884 (24) (a) On or before August 15, 2019, and each month  
1885 thereafter through July 15, 2020, one percent (1%) of the total  
1886 sales tax revenue collected during the preceding month from  
1887 restaurants and hotels shall be allocated for distribution to the  
1888 Mississippi Development Authority Tourism Advertising Fund  
1889 established under Section 57-1-64, to be used exclusively for the  
1890 purpose stated therein. On or before August 15, 2020, and each  
1891 month thereafter through July 15, 2021, two percent (2%) of the  
1892 total sales tax revenue collected during the preceding month from  
1893 restaurants and hotels shall be allocated for distribution to the  
1894 Mississippi Development Authority Tourism Advertising Fund  
1895 established under Section 57-1-64, to be used exclusively for the  
1896 purpose stated therein. On or before August 15, 2021, and each  
1897 month thereafter, three percent (3%) of the total sales tax  
1898 revenue collected during the preceding month from restaurants and  
1899 hotels shall be allocated for distribution to the Mississippi  
1900 Development Authority Tourism Advertising Fund established under  
1901 Section 57-1-64, to be used exclusively for the purpose stated  
1902 therein. The revenue diverted pursuant to this subsection shall  
1903 not be available for expenditure until February 1, 2020.

1904 (b) The Joint Legislative Committee on Performance  
1905 Evaluation and Expenditure Review (PEER) must provide an annual  
1906 report to the Legislature indicating the amount of funds deposited



1907 into the Mississippi Development Authority Tourism Advertising  
1908 Fund established under Section 57-1-64, and a detailed record of  
1909 how the funds are spent.

1910 (25) The remainder of the amounts collected under the  
1911 provisions of this chapter shall be paid into the State Treasury  
1912 to the credit of the General Fund.

1913 (26) (a) It shall be the duty of the municipal officials of  
1914 any municipality that expands its limits, or of any community that  
1915 incorporates as a municipality, to notify the commissioner of that  
1916 action thirty (30) days before the effective date. Failure to so  
1917 notify the commissioner shall cause the municipality to forfeit  
1918 the revenue that it would have been entitled to receive during  
1919 this period of time when the commissioner had no knowledge of the  
1920 action.

1921 (b) (i) Except as otherwise provided in subparagraph  
1922 (ii) of this paragraph, if any funds have been erroneously  
1923 disbursed to any municipality or any overpayment of tax is  
1924 recovered by the taxpayer, the commissioner may make correction  
1925 and adjust the error or overpayment with the municipality by  
1926 withholding the necessary funds from any later payment to be made  
1927 to the municipality.

1928 (ii) Subject to the provisions of Sections  
1929 27-65-51 and 27-65-53, if any funds have been erroneously  
1930 disbursed to a municipality under subsection (1) of this section  
1931 for a period of three (3) years or more, the maximum amount that



1932 may be recovered or withheld from the municipality is the total  
1933 amount of funds erroneously disbursed for a period of three (3)  
1934 years beginning with the date of the first erroneous disbursement.  
1935 However, if during such period, a municipality provides written  
1936 notice to the Department of Revenue indicating the erroneous  
1937 disbursement of funds, then the maximum amount that may be  
1938 recovered or withheld from the municipality is the total amount of  
1939 funds erroneously disbursed for a period of one (1) year beginning  
1940 with the date of the first erroneous disbursement.

1941           **SECTION 19.** This act shall take effect and be in force from  
1942 and after July 1, 2024.

