

By: Senator(s) Branning

To: Highways and
Transportation; Finance

SENATE BILL NO. 2644

1 AN ACT TO AMEND SECTION 27-19-11, MISSISSIPPI CODE OF 1972,
2 TO EXTEND THE WEIGHT CATEGORY FOR HARVEST PERMIT LICENSE TAG
3 HOLDERS; TO AMEND SECTION 27-65-101, MISSISSIPPI CODE OF 1972, TO
4 ALLOW HARVEST TAG PURCHASERS TO QUALIFY FOR A 3% SALES TAX
5 REDUCTION; AND FOR RELATED PURPOSES.

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

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

9 27-19-11. (1) On each carrier of property, for each
10 commercial motor vehicle, truck-tractor or road tractor, and on
11 each bus, there is hereby levied an annual highway privilege tax
12 in accordance with the following schedule, except that the gross
13 vehicle weight of buses shall be the gross weight of the vehicle
14 plus one hundred fifty (150) pounds per each regular seat.

15 RATE OF TAX

16 GROSS WEIGHT	COMMON AND	PRIVATE	PRIVATE
17 OF VEHICLE	CONTRACT	COMMERCIAL	CARRIERS
18 NOT TO EXCEED	CARRIERS OF	AND	OF
19 IN POUNDS	PROPERTY	NONCOMMERCIAL	PROPERTY



	CARRIERS OF		
	PROPERTY		
20			
21			
22	0000 - 6000	\$ 7.20	\$ 7.20 \$ 7.20
23	6001 - 10000	33.60	25.20 16.80
24	10001 - 16000	78.40	70.70 39.20
25	16001 - 20000	156.00	129.00 78.00
26	20001 - 26000	228.00	192.00 114.00
27	26001 - 30000	300.00	247.00 150.00
28	30001 - 36000	384.00	318.00 192.00
29	36001 - 40000	456.00	378.00 228.00
30	40001 - 42000	504.00	420.00 264.00
31	42001 - 44000	528.00	444.00 276.00
32	44001 - 46000	552.00	456.00 282.00
33	46001 - 48000	588.00	492.00 300.00
34	48001 - 50000	612.00	507.00 312.00
35	50001 - 52000	660.00	540.00 336.00
36	52001 - 54000	684.00	564.00 348.00
37	54001 - 56000	708.00	588.00 360.00
38	56001 - 58000	756.00	624.00 384.00
39	58001 - 60000	780.00	642.00 396.00
40	60001 - 62000	828.00	828.00 420.00
41	62001 - 64000	852.00	852.00 432.00
42	64001 - 66000	900.00	900.00 482.00
43	66001 - 68000	936.00	936.00 504.00
44	68001 - 70000	972.00	972.00 516.00



45	70001 - 72000	996.00	996.00	528.00
46	72001 - 74000	1,128.00	1,128.00	576.00
47	74001 - 76000	1,248.00	1,248.00	612.00
48	76001 - 78000	1,380.00	1,380.00	720.00
49	78001 - 80000	1,512.00	1,512.00	864.00
50	80001 - * * * <u>88000</u>	1,776.00	1,776.00	1,152.00

51 The purchase of the license tag exceeding 80,000 gross
52 vehicle weight is limited to the transport of products as provided
53 for harvest permits as defined in Section 27-19-81(4). Such
54 license tag shall be a "HP" license tag with weight allowance
55 printed on the cab card only.

56 In addition to the above levied annual highway privilege tax
57 on vehicles with a gross weight exceeding ten thousand (10,000)
58 pounds, there is levied and shall be collected an additional
59 privilege tax in the amount of One Thousand Eight Hundred
60 Seventy-five Dollars (\$1,875.00) for each current or later year
61 model vehicle based upon a licensed weight of * * * eighty-eight
62 thousand (88,000) pounds. This additional privilege tax shall be
63 reduced by the amount of One Hundred Seventy-five Dollars
64 (\$175.00) for each year of age to a minimum of Fifty Dollars
65 (\$50.00) and further reduced by the ratio of licensed weight to
66 the maximum weight of * * * eighty-eight thousand (88,000) pounds.
67 During the first year only, the privilege tax monies collected
68 under the provisions of this paragraph shall be distributed to the
69 various counties of the state on the basis of the ratio of the



70 last year of annual ad valorem taxes collected by such counties on
71 such vehicles to the total ad valorem taxes collected by all
72 counties on such vehicles in the same year. In all subsequent
73 years, the distribution to the counties shall be made on the basis
74 of the ratio of the number of motor vehicles registered in excess
75 of ten thousand (10,000) pounds, in each taxing district in each
76 county, to the total number of such vehicles registered statewide.
77 The counties shall then distribute these proceeds as they would if
78 these collections were ad valorem taxes.

79 From the privilege tax monies collected under this section,
80 Three Million Seven Hundred Thirty-two Thousand Four Hundred Three
81 Dollars and Eleven Cents (\$3,732,403.11) shall be earmarked and
82 set aside to be apportioned and paid to the counties of the state
83 in the manner provided by Section 27-19-159, Mississippi Code of
84 1972. Any excess privilege tax monies collected under this
85 section shall be deposited into the State Highway Fund for the
86 construction, maintenance and reconstruction of highways and roads
87 of the State of Mississippi or the payment of interest and
88 principal on bonds authorized by the 1972 Regular Session of the
89 Legislature for construction and reconstruction of highways.

90 No privilege license shall be issued for any period of time
91 for less than One Dollar (\$1.00). Any person making an
92 application for the license tag under this section is required to
93 sign an affidavit attesting to facts indicating the applicability
94 of this section. Proof of purchase of a valid harvest permit for



95 the vehicle must be presented at the time of purchase of the
96 license tag.

97 The annual highway privilege tax imposed on operators engaged
98 exclusively in the transportation of household goods shall be the
99 same as the tax imposed upon private commercial carriers by this
100 section. In determining the amount of privilege taxes due under
101 the provisions of this section, there shall be allowed a maximum
102 tolerance of five hundred (500) pounds on all classes of carriers
103 except carriers of liquefied compressed gases and in the case of
104 carriers of liquefied compressed gases there shall be allowed a
105 maximum tolerance of two thousand (2,000) pounds.

106 Any owner or operator who operates a motor vehicle on the
107 public highways, with a license tag attached to it which was
108 issued for another or different vehicle, shall be liable for the
109 privilege tax on said vehicle for twelve (12) months plus a
110 penalty thereon of twenty-five percent (25%).

111 Carriers of property duly registered and licensed in another
112 state and being used to transport farm harvesting machinery or
113 equipment to and from a particular county in this state may, upon
114 adoption of a resolution by the board of supervisors of the county
115 where such machinery or equipment is being exclusively used in
116 harvesting farm crops within the county, be exempt from the taxes
117 herein levied when the resolution is filed with the Department of
118 Revenue. However, the exemption shall not exceed a period of
119 forty (40) days for any annual period without a second resolution



120 of approval by the board of supervisors who shall have the
121 authority to extend the exemption not to exceed an additional
122 period of twenty (20) days during any annual period.

123 A private commercial carrier of property hauling interstate
124 may purchase a common and contract carrier of property license
125 plate at the prescribed fee to allow the carrier to lease on a
126 one-way basis per trip without qualifying with the Public Service
127 Commission.

128 (2) Beginning January 1, 2024, an owner of a carrier of
129 property whose gross vehicle weight does not exceed ten thousand
130 (10,000) pounds may choose a license tag with a black background
131 and a white pinstripe border. "Mississippi" shall be printed at
132 the top, and the name of the county shall be printed at the
133 bottom. The application and the additional fee of Thirty-eight
134 Dollars and Twenty-five Cents (\$38.25), less Two Dollars (\$2.00)
135 to be remitted to the Department of Revenue License Tag
136 Acquisition Fund created in Section 27-19-179, shall be remitted
137 to the department on a monthly basis as prescribed by the
138 department. The remaining Thirty-six Dollars and Twenty-five
139 Cents (\$36.25) of the additional fee shall be deposited to the
140 credit of the Law Enforcement Officers and Fire Fighters Death
141 Benefits Trust Fund established in Section 45-2-1. In all other
142 respects, tags issued under this subsection (2) shall follow the
143 guidelines for tags issued under subsection (1) of this section.



144 **SECTION 2.** Section 27-65-101, Mississippi Code of 1972, is
145 amended as follows:

146 27-65-101. (1) The exemptions from the provisions of this
147 chapter which are of an industrial nature or which are more
148 properly classified as industrial exemptions than any other
149 exemption classification of this chapter shall be confined to
150 those persons or property exempted by this section or by the
151 provisions of the Constitution of the United States or the State
152 of Mississippi. No industrial exemption as now provided by any
153 other section except Section 57-3-33 shall be valid as against the
154 tax herein levied. Any subsequent industrial exemption from the
155 tax levied hereunder shall be provided by amendment to this
156 section. No exemption provided in this section shall apply to
157 taxes levied by Section 27-65-15 or 27-65-21.

158 The tax levied by this chapter shall not apply to the
159 following:

160 (a) Sales of boxes, crates, cartons, cans, bottles and
161 other packaging materials to manufacturers and wholesalers for use
162 as containers or shipping materials to accompany goods sold by
163 said manufacturers or wholesalers where possession thereof will
164 pass to the customer at the time of sale of the goods contained
165 therein and sales to anyone of containers or shipping materials
166 for use in ships engaged in international commerce.

167 (b) Sales of raw materials, catalysts, processing
168 chemicals, welding gases or other industrial processing gases



169 (except natural gas) to a manufacturer for use directly in
170 manufacturing or processing a product for sale or rental or
171 repairing or reconditioning vessels or barges of fifty (50) tons
172 load displacement and over. For the purposes of this exemption,
173 electricity used directly in the electrolysis process in the
174 production of sodium chlorate shall be considered a raw material.
175 This exemption shall not apply to any property used as fuel except
176 to the extent that such fuel comprises by-products which have no
177 market value.

178 (c) The gross proceeds of sales of dry docks, offshore
179 drilling equipment for use in oil or natural gas exploration or
180 production, vessels or barges of fifty (50) tons load displacement
181 and over, when the vessels or barges are sold by the manufacturer
182 or builder thereof. In addition to other types of equipment,
183 offshore drilling equipment for use in oil or natural gas
184 exploration or production shall include aircraft used
185 predominately to transport passengers or property to or from
186 offshore oil or natural gas exploration or production platforms or
187 vessels, and engines, accessories and spare parts for such
188 aircraft.

189 (d) Sales to commercial fishermen of commercial fishing
190 boats of over five (5) tons load displacement and not more than
191 fifty (50) tons load displacement as registered with the United
192 States Coast Guard and licensed by the Mississippi Commission on
193 Marine Resources.



194 (e) The gross income from repairs to vessels and barges
195 engaged in foreign trade or interstate transportation.

196 (f) Sales of petroleum products to vessels or barges
197 for consumption in marine international commerce or interstate
198 transportation businesses.

199 (g) Sales and rentals of rail rolling stock (and
200 component parts thereof) for ultimate use in interstate commerce
201 and gross income from services with respect to manufacturing,
202 repairing, cleaning, altering, reconditioning or improving such
203 rail rolling stock (and component parts thereof).

204 (h) Sales of raw materials, catalysts, processing
205 chemicals, welding gases or other industrial processing gases
206 (except natural gas) used or consumed directly in manufacturing,
207 repairing, cleaning, altering, reconditioning or improving such
208 rail rolling stock (and component parts thereof). This exemption
209 shall not apply to any property used as fuel.

210 (i) Sales of machinery or tools or repair parts
211 therefor or replacements thereof, fuel or supplies used directly
212 in manufacturing, converting or repairing ships, vessels or barges
213 of three thousand (3,000) tons load displacement and over, but not
214 to include office and plant supplies or other equipment not
215 directly used on the ship, vessel or barge being built, converted
216 or repaired. For purposes of this exemption, "ships, vessels or
217 barges" shall not include floating structures described in Section
218 27-65-18.



219 (j) Sales of tangible personal property to persons
220 operating ships in international commerce for use or consumption
221 on board such ships. This exemption shall be limited to cases in
222 which procedures satisfactory to the commissioner, ensuring
223 against use in this state other than on such ships, are
224 established.

225 (k) Sales of materials used in the construction of a
226 building, or any addition or improvement thereon, and sales of any
227 machinery and equipment not later than three (3) months after the
228 completion of construction of the building, or any addition
229 thereon, to be used therein, to qualified businesses, as defined
230 in Section 57-51-5, which are located in a county or portion
231 thereof designated as an enterprise zone pursuant to Sections
232 57-51-1 through 57-51-15.

233 (l) Sales of materials used in the construction of a
234 building, or any addition or improvement thereon, and sales of any
235 machinery and equipment not later than three (3) months after the
236 completion of construction of the building, or any addition
237 thereon, to be used therein, to qualified businesses, as defined
238 in Section 57-54-5.

239 (m) Income from storage and handling of perishable
240 goods by a public storage warehouse.

241 (n) The value of natural gas lawfully injected into the
242 earth for cycling, repressuring or lifting of oil, or lawfully
243 vented or flared in connection with the production of oil;



244 however, if any gas so injected into the earth is sold for such
245 purposes, then the gas so sold shall not be exempt.

246 (o) The gross collections from self-service commercial
247 laundering, drying, cleaning and pressing equipment.

248 (p) Sales of materials used in the construction of a
249 building, or any addition or improvement thereon, and sales of any
250 machinery and equipment not later than three (3) months after the
251 completion of construction of the building, or any addition
252 thereon, to be used therein, to qualified companies, certified as
253 such by the Mississippi Development Authority under Section
254 57-53-1.

255 (q) Sales of component materials used in the
256 construction of a building, or any addition or improvement
257 thereon, sales of machinery and equipment to be used therein, and
258 sales of manufacturing or processing machinery and equipment which
259 is permanently attached to the ground or to a permanent foundation
260 and which is not by its nature intended to be housed within a
261 building structure, not later than three (3) months after the
262 initial start-up date, to permanent business enterprises engaging
263 in manufacturing or processing in Tier Three areas (as such term
264 is defined in Section 57-73-21), which businesses are certified by
265 the Department of Revenue as being eligible for the exemption
266 granted in this paragraph (q). The exemption provided in this
267 paragraph (q) shall not apply to sales to any business enterprise



268 that is a medical cannabis establishment as defined in the
269 Mississippi Medical Cannabis Act.

270 (r) (i) Sales of component materials used in the
271 construction of a building, or any addition or improvement
272 thereon, and sales of any machinery and equipment not later than
273 three (3) months after the completion of the building, addition or
274 improvement thereon, to be used therein, for any company
275 establishing or transferring its national or regional headquarters
276 from within or outside the State of Mississippi and creating a
277 minimum of twenty (20) jobs at the new headquarters in this state.
278 The exemption provided in this subparagraph (i) shall not apply to
279 sales for any company that is a medical cannabis establishment as
280 defined in the Mississippi Medical Cannabis Act. The Department
281 of Revenue shall establish criteria and prescribe procedures to
282 determine if a company qualifies as a national or regional
283 headquarters for the purpose of receiving the exemption provided
284 in this subparagraph (i).

285 (ii) Sales of component materials used in the
286 construction of a building, or any addition or improvement
287 thereon, and sales of any machinery and equipment not later than
288 three (3) months after the completion of the building, addition or
289 improvement thereon, to be used therein, for any company expanding
290 or making additions after January 1, 2013, to its national or
291 regional headquarters within the State of Mississippi and creating
292 a minimum of twenty (20) new jobs at the headquarters as a result



293 of the expansion or additions. The exemption provided in this
294 subparagraph (ii) shall not apply to sales for any company that is
295 a medical cannabis establishment as defined in the Mississippi
296 Medical Cannabis Act. The Department of Revenue shall establish
297 criteria and prescribe procedures to determine if a company
298 qualifies as a national or regional headquarters for the purpose
299 of receiving the exemption provided in this subparagraph (ii).

300 (s) The gross proceeds from the sale of semitrailers,
301 trailers, boats, travel trailers, motorcycles, all-terrain cycles
302 and rotary-wing aircraft if exported from this state within
303 forty-eight (48) hours and registered and first used in another
304 state.

305 (t) Gross income from the storage and handling of
306 natural gas in underground salt domes and in other underground
307 reservoirs, caverns, structures and formations suitable for such
308 storage.

309 (u) Sales of machinery and equipment to nonprofit
310 organizations if the organization:

311 (i) Is tax exempt pursuant to Section 501(c)(4) of
312 the Internal Revenue Code of 1986, as amended;

313 (ii) Assists in the implementation of the
314 contingency plan or area contingency plan, and which is created in
315 response to the requirements of Title IV, Subtitle B of the Oil
316 Pollution Act of 1990, Public Law 101-380; and



317 (iii) Engages primarily in programs to contain,
318 clean up and otherwise mitigate spills of oil or other substances
319 occurring in the United States coastal and tidal waters.

320 For purposes of this exemption, "machinery and equipment"
321 means any ocean-going vessels, barges, booms, skimmers and other
322 capital equipment used primarily in the operations of nonprofit
323 organizations referred to herein.

324 (v) Sales or leases of materials and equipment to
325 approved business enterprises as provided under the Growth and
326 Prosperity Act.

327 (w) From and after July 1, 2001, sales of pollution
328 control equipment to manufacturers or custom processors for
329 industrial use. For the purposes of this exemption, "pollution
330 control equipment" means equipment, devices, machinery or systems
331 used or acquired to prevent, control, monitor or reduce air, water
332 or groundwater pollution, or solid or hazardous waste as required
333 by federal or state law or regulation.

334 (x) Sales or leases to a manufacturer of motor vehicles
335 or powertrain components operating a project that has been
336 certified by the Mississippi Major Economic Impact Authority as a
337 project as defined in Section 57-75-5(f)(iv)1, Section
338 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii) of machinery and
339 equipment; special tooling such as dies, molds, jigs and similar
340 items treated as special tooling for federal income tax purposes;
341 or repair parts therefor or replacements thereof; repair services



342 thereon; fuel, supplies, electricity, coal and natural gas used
343 directly in the manufacture of motor vehicles or motor vehicle
344 parts or used to provide climate control for manufacturing areas.

345 (y) Sales or leases of component materials, machinery
346 and equipment used in the construction of a building, or any
347 addition or improvement thereon to an enterprise operating a
348 project that has been certified by the Mississippi Major Economic
349 Impact Authority as a project as defined in Section
350 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi), Section 57-75-5(f)(xxii)
351 or Section 57-75-5(f)(xxviii) and any other sales or leases
352 required to establish or operate such project.

353 (z) Sales of component materials and equipment to a
354 business enterprise as provided under Section 57-64-33.

355 (aa) The gross income from the stripping and painting
356 of commercial aircraft engaged in foreign or interstate
357 transportation business.

358 (bb) [Repealed]

359 (cc) Sales or leases to an enterprise owning or
360 operating a project that has been designated by the Mississippi
361 Major Economic Impact Authority as a project as defined in Section
362 57-75-5(f)(xviii) of machinery and equipment; special tooling such
363 as dies, molds, jigs and similar items treated as special tooling
364 for federal income tax purposes; or repair parts therefor or
365 replacements thereof; repair services thereon; fuel, supplies,
366 electricity, coal and natural gas used directly in the



367 manufacturing/production operations of the project or used to
368 provide climate control for manufacturing/production areas.

369 (dd) Sales or leases of component materials, machinery
370 and equipment used in the construction of a building, or any
371 addition or improvement thereon to an enterprise owning or
372 operating a project that has been designated by the Mississippi
373 Major Economic Impact Authority as a project as defined in Section
374 57-75-5(f) (xviii) and any other sales or leases required to
375 establish or operate such project.

376 (ee) Sales of parts used in the repair and servicing of
377 aircraft not registered in Mississippi engaged exclusively in the
378 business of foreign or interstate transportation to businesses
379 engaged in aircraft repair and maintenance.

380 (ff) Sales of component materials used in the
381 construction of a facility, or any addition or improvement
382 thereon, and sales or leases of machinery and equipment not later
383 than three (3) months after the completion of construction of the
384 facility, or any addition or improvement thereto, to be used in
385 the building or any addition or improvement thereto, to a
386 permanent business enterprise operating a data/information
387 enterprise in Tier Three areas (as such areas are designated in
388 accordance with Section 57-73-21), meeting minimum criteria
389 established by the Mississippi Development Authority. The
390 exemption provided in this paragraph (ff) shall not apply to sales



391 to any business enterprise that is a medical cannabis
392 establishment as defined in the Mississippi Medical Cannabis Act.

393 (gg) Sales of component materials used in the
394 construction of a facility, or any addition or improvement
395 thereto, and sales of machinery and equipment not later than three
396 (3) months after the completion of construction of the facility,
397 or any addition or improvement thereto, to be used in the facility
398 or any addition or improvement thereto, to technology intensive
399 enterprises for industrial purposes in Tier Three areas (as such
400 areas are designated in accordance with Section 57-73-21), as
401 certified by the Department of Revenue. For purposes of this
402 paragraph, an enterprise must meet the criteria provided for in
403 Section 27-65-17(1)(f) in order to be considered a technology
404 intensive enterprise.

405 (hh) Sales of component materials used in the
406 replacement, reconstruction or repair of a building or facility
407 that has been destroyed or sustained extensive damage as a result
408 of a disaster declared by the Governor, sales of machinery and
409 equipment to be used therein to replace machinery or equipment
410 damaged or destroyed as a result of such disaster, including, but
411 not limited to, manufacturing or processing machinery and
412 equipment which is permanently attached to the ground or to a
413 permanent foundation and which is not by its nature intended to be
414 housed within a building structure, to enterprises or companies
415 that were eligible for the exemptions authorized in paragraph (q),



416 (r), (ff) or (gg) of this subsection during initial construction
417 of the building that was destroyed or damaged, which enterprises
418 or companies are certified by the Department of Revenue as being
419 eligible for the exemption granted in this paragraph.

420 (ii) Sales of software or software services transmitted
421 by the internet to a destination outside the State of Mississippi
422 where the first use of such software or software services by the
423 purchaser occurs outside the State of Mississippi.

424 (jj) Gross income of public storage warehouses derived
425 from the temporary storage of raw materials that are to be used in
426 an eligible facility as defined in Section 27-7-22.35.

427 (kk) Sales of component building materials and
428 equipment for initial construction of facilities or expansion of
429 facilities as authorized under Sections 57-113-1 through 57-113-7
430 and Sections 57-113-21 through 57-113-27.

431 (ll) Sales and leases of machinery and equipment
432 acquired in the initial construction to establish facilities as
433 authorized in Sections 57-113-1 through 57-113-7.

434 (mm) Sales and leases of replacement hardware, software
435 or other necessary technology to operate a data center as
436 authorized under Sections 57-113-21 through 57-113-27.

437 (nn) Sales of component materials used in the
438 construction of a building, or any addition or improvement
439 thereon, and sales or leases of machinery and equipment not later
440 than three (3) months after the completion of the construction of



441 the facility, to be used in the facility, to permanent business
442 enterprises operating a facility producing renewable crude oil
443 from biomass harvested or produced, in whole or in part, in
444 Mississippi, which businesses meet minimum criteria established by
445 the Mississippi Development Authority. As used in this paragraph,
446 the term "biomass" shall have the meaning ascribed to such term in
447 Section 57-113-1.

448 (oo) Sales of supplies, equipment and other personal
449 property to an organization that is exempt from taxation under
450 Section 501(c)(3) of the Internal Revenue Code and is the host
451 organization coordinating a professional golf tournament played or
452 to be played in this state and the supplies, equipment or other
453 personal property will be used for purposes related to the golf
454 tournament and related activities.

455 (pp) Sales of materials used in the construction of a
456 health care industry facility, as defined in Section 57-117-3, or
457 any addition or improvement thereon, and sales of any machinery
458 and equipment not later than three (3) months after the completion
459 of construction of the facility, or any addition thereon, to be
460 used therein, to qualified businesses, as defined in Section
461 57-117-3. This paragraph shall be repealed from and after July 1,
462 2025.

463 (qq) Sales or leases to a manufacturer of automotive
464 parts operating a project that has been certified by the
465 Mississippi Major Economic Impact Authority as a project as



466 defined in Section 57-75-5(f) (xxviii) of machinery and equipment;
467 or repair parts therefor or replacements thereof; repair services
468 thereon; fuel, supplies, electricity, coal, nitrogen and natural
469 gas used directly in the manufacture of automotive parts or used
470 to provide climate control for manufacturing areas.

471 (rr) Gross collections derived from guided tours on any
472 navigable waters of this state, which include providing
473 accommodations, guide services and/or related equipment operated
474 by or under the direction of the person providing the tour, for
475 the purposes of outdoor tourism. The exemption provided in this
476 paragraph (rr) does not apply to the sale of tangible personal
477 property by a person providing such tours.

478 (ss) Retail sales of truck-tractors and semitrailers
479 used in interstate commerce, including vehicles operating with a
480 harvest permit tag, and registered under the International
481 Registration Plan (IRP) or any similar reciprocity agreement or
482 compact relating to the proportional registration of commercial
483 vehicles entered into as provided for in Section 27-19-143.

484 (tt) Sales exempt under the Facilitating Business Rapid
485 Response to State Declared Disasters Act of 2015 (Sections
486 27-113-1 through 27-113-9).

487 (uu) Sales or leases to an enterprise and its
488 affiliates operating a project that has been certified by the
489 Mississippi Major Economic Impact Authority as a project as
490 defined in Section 57-75-5(f) (xxix) of:



491 (i) All personal property and fixtures, including
492 without limitation, sales or leases to the enterprise and its
493 affiliates of:

494 1. Manufacturing machinery and equipment;

495 2. Special tooling such as dies, molds, jigs
496 and similar items treated as special tooling for federal income
497 tax purposes;

498 3. Component building materials, machinery
499 and equipment used in the construction of buildings, and any other
500 additions or improvements to the project site for the project;

501 4. Nonmanufacturing furniture, fixtures and
502 equipment (inclusive of all communications, computer, server,
503 software and other hardware equipment); and

504 5. Fuel, supplies (other than
505 nonmanufacturing consumable supplies and water), electricity,
506 nitrogen gas and natural gas used directly in the
507 manufacturing/production operations of such project or used to
508 provide climate control for manufacturing/production areas of such
509 project;

510 (ii) All replacements of, repair parts for or
511 services to repair items described in subparagraph (i)1, 2 and 3
512 of this paragraph; and

513 (iii) All services taxable pursuant to Section
514 27-65-23 required to establish, support, operate, repair and/or
515 maintain such project.



516 (vv) Sales or leases to an enterprise operating a
517 project that has been certified by the Mississippi Major Economic
518 Impact Authority as a project as defined in Section
519 57-75-5(f) (xxx) of:

520 (i) Purchases required to establish and operate
521 the project, including, but not limited to, sales of component
522 building materials, machinery and equipment required to establish
523 the project facility and any additions or improvements thereon;
524 and

525 (ii) Machinery, special tools (such as dies,
526 molds, and jigs) or repair parts thereof, or replacements and
527 lease thereof, repair services thereon, fuel, supplies and
528 electricity, coal and natural gas used in the manufacturing
529 process and purchased by the enterprise owning or operating the
530 project for the benefit of the project.

531 (ww) Sales of component materials used in the
532 construction of a building, or any expansion or improvement
533 thereon, sales of machinery and/or equipment to be used therein,
534 and sales of processing machinery and equipment which is
535 permanently attached to the ground or to a permanent foundation
536 which is not by its nature intended to be housed in a building
537 structure, no later than three (3) months after initial startup,
538 expansion or improvement of a permanent enterprise solely engaged
539 in the conversion of natural sand into proppants used in oil and
540 gas exploration and development with at least ninety-five percent



541 (95%) of such proppants used in the production of oil and/or gas
542 from horizontally drilled wells and/or horizontally drilled
543 recompletion wells as defined in Sections 27-25-501 and 27-25-701.

544 (xx) (i) Sales or leases to an enterprise operating a
545 project that has been certified by the Mississippi Major Economic
546 Impact Authority as a project as defined in Section
547 57-75-5(f)(xxxi), for a period ending no later than one (1) year
548 following completion of the construction of the facility or
549 facilities comprising such project of all personal property and
550 fixtures, including without limitation, sales or leases to the
551 enterprise and its affiliates of:

552 1. Manufacturing machinery and equipment;

553 2. Special tooling such as dies, molds, jigs
554 and similar items treated as special tooling for federal income
555 tax purposes;

556 3. Component building materials, machinery
557 and equipment used in the construction of buildings, and any other
558 additions or improvements to the project site for the project;

559 4. Nonmanufacturing furniture, fixtures and
560 equipment (inclusive of all communications, computer, server,
561 software and other hardware equipment);

562 5. Replacements of, repair parts for or
563 services to repair items described in this subparagraph (i)1, 2
564 and 3; and



565 6. All services taxable pursuant to Section
566 27-65-23 required to establish, support, operate, repair and/or
567 maintain such project; and

568 (ii) Sales or leases to an enterprise operating a
569 project that has been certified by the Mississippi Major Economic
570 Impact Authority as a project as defined in Section
571 57-75-5(f) (xxxi) of electricity, current, power, steam, coal,
572 natural gas, liquefied petroleum gas or other fuel, biomass,
573 nitrogen or other atmospheric or other industrial gases used
574 directly by the enterprise in the manufacturing/production
575 operations of its project or used to provide climate control for
576 manufacturing/production areas (which manufacturing/production
577 areas shall be apportioned based on square footage). As used in
578 this paragraph, the term "biomass" shall have the meaning ascribed
579 to such term in Section 57-113-1.

580 (yy) The gross proceeds from the sale of any item of
581 tangible personal property by the manufacturer or custom processor
582 thereof if such item is shipped, transported or exported from this
583 state and first used in another state, whether such shipment,
584 transportation or exportation is made by the seller, purchaser, or
585 any third party acting on behalf of such party. For the purposes
586 of this paragraph (yy), any instruction to, training of or
587 inspection by the purchaser with respect to the item prior to
588 shipment, transportation or exportation of the item shall not
589 constitute a first use of such item within this state.



590 (zz) (i) Sales or leases to an enterprise operating a
591 project that has been certified by the Mississippi Major Economic
592 Impact Authority as a project as defined in Section
593 57-75-5(f)(xxxii), for a period ending no later than one (1) year
594 following completion of the construction of the facility or
595 facilities comprising such project of all personal property and
596 fixtures, including, without limitation, sales or leases to the
597 enterprise and its affiliates of:

598 1. Manufacturing machinery and equipment;

599 2. Special tooling such as dies, molds, jigs
600 and similar items treated as special tooling for federal income
601 tax purposes;

602 3. Component building materials, machinery
603 and equipment used in the construction of buildings, and any other
604 additions or improvements to the project site for the project;

605 4. Nonmanufacturing furniture, fixtures and
606 equipment (inclusive of all communications, computer, server,
607 software and other hardware equipment);

608 5. Replacements of, repair parts for or
609 services to repair items described in this subparagraph (i)1, 2
610 and 3; and

611 6. All services taxable pursuant to Section
612 27-65-23 required to establish, support, operate, repair and/or
613 maintain such project; and



614 (ii) Sales or leases to an enterprise operating a
615 project that has been certified by the Mississippi Major Economic
616 Impact Authority as a project as defined in Section
617 57-75-5(f) (xxxii) of electricity, current, power, steam, coal,
618 natural gas, liquefied petroleum gas or other fuel, biomass,
619 nitrogen or other atmospheric or other industrial gases used
620 directly by the enterprise in the manufacturing/production
621 operations of its project or used to provide climate control for
622 manufacturing/production areas (which manufacturing/production
623 areas shall be apportioned based on square footage). As used in
624 this paragraph, the term "biomass" shall have the meaning ascribed
625 to such term in Section 57-113-1.

626 (aaa) Sales or leases to an enterprise and/or any
627 affiliates thereof operating a project that has been certified by
628 the Mississippi Major Economic Impact Authority as a project as
629 defined in Section 57-75-5(f) (xxxiii) of:

630 (i) Component building materials, fixtures,
631 machinery and equipment used in the construction of a data
632 processing facility or other buildings comprising all or part of a
633 project, for a period ending no later than one (1) year following
634 completion of the construction of the data processing facility or
635 such other building; and

636 (ii) All equipment and other personal property
637 needed to establish and operate the project and any expansions
638 thereof or additions thereto, including, but not limited to:



639 1. Communications, computer, server,
640 software, connectivity materials and equipment, emergency power
641 generation equipment, other hardware equipment and any other
642 technology;

643 2. All replacements of, and repair parts for,
644 such equipment or other personal property; and

645 3. All services taxable pursuant to Section
646 27-65-23 required to install, support, operate, repair and/or
647 maintain the foregoing equipment and other personal property
648 described in this subparagraph (ii).

649 (2) Sales of component materials used in the construction of
650 a building, or any addition or improvement thereon, sales of
651 machinery and equipment to be used therein, and sales of
652 manufacturing or processing machinery and equipment which is
653 permanently attached to the ground or to a permanent foundation
654 and which is not by its nature intended to be housed within a
655 building structure, not later than three (3) months after the
656 initial start-up date, to permanent business enterprises engaging
657 in manufacturing or processing in Tier Two areas and Tier One
658 areas (as such areas are designated in accordance with Section
659 57-73-21), which businesses are certified by the Department of
660 Revenue as being eligible for the exemption granted in this
661 subsection, shall be exempt from one-half (1/2) of the taxes
662 imposed on such transactions under this chapter. The exemption
663 provided in this subsection (2) shall not apply to sales to any



664 business enterprise that is a medical cannabis establishment as
665 defined in the Mississippi Medical Cannabis Act.

666 (3) Sales of component materials used in the construction of
667 a facility, or any addition or improvement thereon, and sales or
668 leases of machinery and equipment not later than three (3) months
669 after the completion of construction of the facility, or any
670 addition or improvement thereto, to be used in the building or any
671 addition or improvement thereto, to a permanent business
672 enterprise operating a data/information enterprise in Tier Two
673 areas and Tier One areas (as such areas are designated in
674 accordance with Section 57-73-21), which businesses meet minimum
675 criteria established by the Mississippi Development Authority,
676 shall be exempt from one-half (1/2) of the taxes imposed on such
677 transaction under this chapter. The exemption provided in this
678 subsection (3) shall not apply to sales to any business enterprise
679 that is a medical cannabis establishment as defined in the
680 Mississippi Medical Cannabis Act.

681 (4) Sales of component materials used in the construction of
682 a facility, or any addition or improvement thereto, and sales of
683 machinery and equipment not later than three (3) months after the
684 completion of construction of the facility, or any addition or
685 improvement thereto, to be used in the building or any addition or
686 improvement thereto, to technology intensive enterprises for
687 industrial purposes in Tier Two areas and Tier One areas (as such
688 areas are designated in accordance with Section 57-73-21), which



689 businesses are certified by the Department of Revenue as being
690 eligible for the exemption granted in this subsection, shall be
691 exempt from one-half (1/2) of the taxes imposed on such
692 transactions under this chapter. For purposes of this subsection,
693 an enterprise must meet the criteria provided for in Section
694 27-65-17(1)(f) in order to be considered a technology intensive
695 enterprise.

696 (5) (a) For purposes of this subsection:

697 (i) "Telecommunications enterprises" shall have
698 the meaning ascribed to such term in Section 57-73-21;

699 (ii) "Tier One areas" mean counties designated as
700 Tier One areas pursuant to Section 57-73-21;

701 (iii) "Tier Two areas" mean counties designated as
702 Tier Two areas pursuant to Section 57-73-21;

703 (iv) "Tier Three areas" mean counties designated
704 as Tier Three areas pursuant to Section 57-73-21; and

705 (v) "Equipment used in the deployment of broadband
706 technologies" means any equipment capable of being used for or in
707 connection with the transmission of information at a rate, prior
708 to taking into account the effects of any signal degradation, that
709 is not less than three hundred eighty-four (384) kilobits per
710 second in at least one (1) direction, including, but not limited
711 to, asynchronous transfer mode switches, digital subscriber line
712 access multiplexers, routers, servers, multiplexers, fiber optics
713 and related equipment.



714 (b) Sales of equipment to telecommunications
715 enterprises after June 30, 2003, and before July 1, 2025, that is
716 installed in Tier One areas and used in the deployment of
717 broadband technologies shall be exempt from one-half (1/2) of the
718 taxes imposed on such transactions under this chapter.

719 (c) Sales of equipment to telecommunications
720 enterprises after June 30, 2003, and before July 1, 2025, that is
721 installed in Tier Two and Tier Three areas and used in the
722 deployment of broadband technologies shall be exempt from the
723 taxes imposed on such transactions under this chapter.

724 (6) Sales of component materials used in the replacement,
725 reconstruction or repair of a building that has been destroyed or
726 sustained extensive damage as a result of a disaster declared by
727 the Governor, sales of machinery and equipment to be used therein
728 to replace machinery or equipment damaged or destroyed as a result
729 of such disaster, including, but not limited to, manufacturing or
730 processing machinery and equipment which is permanently attached
731 to the ground or to a permanent foundation and which is not by its
732 nature intended to be housed within a building structure, to
733 enterprises that were eligible for the partial exemptions provided
734 for in subsections (2), (3) and (4) of this section during initial
735 construction of the building that was destroyed or damaged, which
736 enterprises are certified by the Department of Revenue as being
737 eligible for the partial exemption granted in this subsection,



738 shall be exempt from one-half (1/2) of the taxes imposed on such
739 transactions under this chapter.

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

