

By: Senator(s) Hopson

To: Finance; Accountability,  
Efficiency, Transparency

SENATE BILL NO. 2906

1 AN ACT TO AMEND SECTION 27-67-31, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT 10% OF STATE USE TAX REVENUE SHALL BE DEPOSITED  
3 INTO THE STATE HIGHWAY FUND TO BE USED EXCLUSIVELY FOR THE  
4 CONSTRUCTION, RECONSTRUCTION, REPAIR OR MAINTENANCE OF HIGHWAYS OF  
5 THE STATE; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 27-67-31, Mississippi Code of 1972, is  
8 amended as follows:

9 27-67-31. All administrative provisions of the sales tax  
10 law, and amendments thereto, including those which fix damages,  
11 penalties and interest for failure to comply with the provisions  
12 of said sales tax law, and all other requirements and duties  
13 imposed upon taxpayer, shall apply to all persons liable for use  
14 taxes under the provisions of this article. The commissioner  
15 shall exercise all power and authority and perform all duties with  
16 respect to taxpayers under this article as are provided in said  
17 sales tax law, except where there is conflict, then the provisions  
18 of this article shall control.



19           The commissioner may require transportation companies to  
20 permit the examination of waybills, freight bills, or other  
21 documents covering shipments of tangible personal property into  
22 this state.

23           On or before the fifteenth day of each month, the amount  
24 received from taxes, damages and interest under the provisions of  
25 this article during the preceding month shall be paid and  
26 distributed as follows:

27                   (a) On or before July 15, 1994, through July 15, 2000,  
28 and each succeeding month thereafter, two and two hundred  
29 sixty-six one-thousandths percent (2.266%) of the total use tax  
30 revenue collected during the preceding month under the provisions  
31 of this article shall be deposited in the School Ad Valorem Tax  
32 Reduction Fund created pursuant to Section 37-61-35. On or before  
33 August 15, 2000, and each succeeding month thereafter, two and two  
34 hundred sixty-six one-thousandths percent (2.266%) of the total  
35 use tax revenue collected during the preceding month under the  
36 provisions of this chapter shall be deposited into the School Ad  
37 Valorem Tax Reduction Fund created under Section 37-61-35 until  
38 such time that the total amount deposited into the fund during a  
39 fiscal year equals Four Million Dollars (\$4,000,000.00).  
40 Thereafter, the amounts diverted under this paragraph (a) during  
41 the fiscal year in excess of Four Million Dollars (\$4,000,000.00)  
42 shall be deposited into the Education Enhancement Fund created  
43 under Section 37-61-33 for appropriation by the Legislature as



44 other education needs and shall not be subject to the percentage  
45 appropriation requirements set forth in Section 37-61-33.

46 (b) On or before July 15, 1994, and each succeeding  
47 month thereafter, nine and seventy-three one-thousandths percent  
48 (9.073%) of the total use tax revenue collected during the  
49 preceding month under the provisions of this article shall be  
50 deposited into the Education Enhancement Fund created pursuant to  
51 Section 37-61-33.

52 (c) On or before July 15, 1997, and on or before the  
53 fifteenth day of each succeeding month thereafter, the revenue  
54 collected under the provisions of this article imposed and levied  
55 as a result of Section 27-65-17(2) and the corresponding levy in  
56 Section 27-65-23 on the rental or lease of private carriers of  
57 passengers and light carriers of property as defined in Section  
58 27-51-101 shall be deposited into the Motor Vehicle Ad Valorem Tax  
59 Reduction Fund created pursuant to Section 27-51-105.

60 (d) On or before July 15, 1997, and on or before the  
61 fifteenth day of each succeeding month thereafter and after the  
62 deposits required by paragraphs (a) and (b) of this section are  
63 made, the remaining revenue collected under the provisions of this  
64 article imposed and levied as a result of Section 27-65-17(1) and  
65 the corresponding levy in Section 27-65-23 on the rental or lease  
66 of private carriers of passengers and light carriers of property  
67 as defined in Section 27-51-101 shall be deposited into the Motor



68 Vehicle Ad Valorem Tax Reduction Fund created pursuant to Section  
69 27-51-105.

70 (e) On or before August 15, 2019, and each succeeding  
71 month thereafter through July 15, 2020, three and three-fourths  
72 percent (3-3/4%) of the total use tax revenue collected during the  
73 preceding month under the provisions of this article shall be  
74 deposited into the special fund created in Section 27-67-35(1).  
75 On or before August 15, 2020, and each succeeding month thereafter  
76 through July 15, 2021, seven and one-half percent (7-1/2%) of the  
77 total use tax revenue collected during the preceding month under  
78 the provisions of this article shall be deposited into the special  
79 fund created in Section 27-67-35(1). On or before August 15,  
80 2021, and each succeeding month thereafter through July 15, 2022,  
81 eleven and one-fourth percent (11-1/4%) of the total use tax  
82 revenue collected during the preceding month under the provisions  
83 of this article shall be deposited into the special fund created  
84 in Section 27-67-35(1). On or before August 15, 2022, and each  
85 succeeding month thereafter, fifteen percent (15%) of the total  
86 use tax revenue collected during the preceding month under the  
87 provisions of this article shall be deposited into the special  
88 fund created in Section 27-67-35(1).

89 (f) On or before August 15, 2019, and each succeeding  
90 month thereafter through July 15, 2020, three and three-fourths  
91 percent (3-3/4%) of the total use tax revenue collected during the  
92 preceding month under the provisions of this article shall be



93 deposited into the special fund created in Section 27-67-35(2).  
94 On or before August 15, 2020, and each succeeding month thereafter  
95 through July 15, 2021, seven and one-half percent (7-1/2%) of the  
96 total use tax revenue collected during the preceding month under  
97 the provisions of this article shall be deposited into the special  
98 fund created in Section 27-67-35(2). On or before August 15,  
99 2021, and each succeeding month thereafter through July 15, 2022,  
100 eleven and one-fourth percent (11-1/4%) of the total use tax  
101 revenue collected during the preceding month under the provisions  
102 of this article shall be deposited into the special fund created  
103 in Section 27-67-35(2). On or before August 15, 2022, and each  
104 succeeding month thereafter, fifteen percent (15%) of the total  
105 use tax revenue collected during the preceding month under the  
106 provisions of this article shall be deposited into the special  
107 fund created in Section 27-67-35(2).

108 (g) On or before August 15, 2019, and each succeeding  
109 month thereafter through July 15, 2020, Four Hundred Sixteen  
110 Thousand Six Hundred Sixty-six Dollars and Sixty-seven Cents  
111 (\$416,666.67) or one and one-fourth percent (1-1/4%) of the total  
112 use tax revenue collected during the preceding month under the  
113 provisions of this article, whichever is the greater amount, shall  
114 be deposited into the Local System Bridge Replacement and  
115 Rehabilitation Fund created in Section 65-37-13. On or before  
116 August 15, 2020, and each succeeding month thereafter through July  
117 15, 2021, Eight Hundred Thirty-three Thousand Three Hundred



118 Thirty-three Dollars and Thirty-four Cents (\$833,333.34) or two  
119 and one-half percent (2-1/2%) of the total use tax revenue  
120 collected during the preceding month under the provisions of this  
121 article, whichever is the greater amount, shall be deposited into  
122 the Local System Bridge Replacement and Rehabilitation Fund  
123 created in Section 65-37-13. On or before August 15, 2021, and  
124 each succeeding month thereafter through July 15, 2022, One  
125 Million Two Hundred Fifty Thousand Dollars (\$1,250,000.00) or  
126 three and three-fourths percent (3-3/4%) of the total use tax  
127 revenue collected during the preceding month under the provisions  
128 of this article, whichever is the greater amount, shall be  
129 deposited into the Local System Bridge Replacement and  
130 Rehabilitation Fund created in Section 65-37-13. On or before  
131 August 15, 2022, and each succeeding month thereafter through July  
132 15, 2023, One Million Six Hundred Sixty-six Thousand Six Hundred  
133 Sixty-six Dollars and Sixty-seven Cents (\$1,666,666.67) or five  
134 percent (5%) of the total use tax revenue collected during the  
135 preceding month under the provisions of this article, whichever is  
136 the greater amount, shall be deposited into the Local System  
137 Bridge Replacement and Rehabilitation Fund created in Section  
138 65-37-13. On or before August 15, 2023, and each succeeding month  
139 thereafter, (i) One Million Six Hundred Sixty-six Thousand Six  
140 Hundred Sixty-six Dollars and Sixty-seven Cents (\$1,666,666.67) or  
141 two and one-half percent (2-1/2%) of the total use tax revenue  
142 collected during the preceding month under the provisions of this



143 article, whichever is the greater amount, shall be deposited into  
144 the Local System Bridge Replacement and Rehabilitation Fund  
145 created in Section 65-37-13, and (ii) One Million Six Hundred  
146 Sixty-six Thousand Six Hundred Sixty-six Dollars and Sixty-seven  
147 Cents (\$1,666,666.67) or two and one-half percent (2-1/2%) of the  
148 total use tax revenue collected during the preceding month under  
149 the provisions of this article, whichever is the greater amount,  
150 shall be deposited into the State Aid Road Fund created in Section  
151 65-9-17.

152 (h) On or before August 15, 2020, and each succeeding  
153 month thereafter through July 15, 2022, One Million Dollars  
154 (\$1,000,000.00) of the total use tax revenue collected during the  
155 preceding month under the provisions of this article shall be  
156 deposited into the Local System Bridge Replacement and  
157 Rehabilitation Fund created in Section 65-37-13. Amounts  
158 deposited into the Local System Bridge Replacement and  
159 Rehabilitation Fund under this paragraph (h) shall be in addition  
160 to amounts deposited into the fund under paragraph (g) of this  
161 section.

162 (i) On or before August 15, 2024, and each succeeding  
163 month thereafter, ten percent (10%) of the total use tax revenue  
164 collected during the preceding month under the provisions of this  
165 article shall be deposited into the State Highway Fund to be used  
166 exclusively for the construction, reconstruction, repair or  
167 maintenance of highways of the state.



168 ( \* \* \*j) The remainder of the amount received from  
169 taxes, damages and interest under the provisions of this article  
170 shall be paid into the State General Fund \* \* \* by the  
171 commissioner.

172 **SECTION 2.** This act shall take effect and be in force from  
173 and after July 1, 2024.

