

By: Senator(s) Michel, Horhn

To: Local and Private;  
Finance

SENATE BILL NO. 3221

1 AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF  
2 RIDGELAND TO LEVY, ASSESS AND COLLECT A 1% TAX ON THE GROSS  
3 PROCEEDS OF ALL SALES FROM RESTAURANTS, AND A 2% TAX ON THE GROSS  
4 PROCEEDS OF ALL SALES FROM HOTELS AND MOTELS TO PROVIDE FUNDS  
5 SOLELY FOR CAPITAL IMPROVEMENTS FOR THE ENHANCEMENT OF FREEDOM  
6 RIDGE PARK, PHASE II; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** As used in this act, the following terms shall  
9 have the meanings ascribed herein unless otherwise clearly  
10 indicated by context:

11 (a) "City" means the City of Ridgeland, Mississippi.

12 (b) "Governing authorities" means the Mayor and Board  
13 of Aldermen of the City of Ridgeland, Mississippi.

14 (c) "Hotel" or "motel" means and includes a place of  
15 lodging that at any one (1) time will accommodate transient guests  
16 on a daily or weekly basis and that is known to the trade as such.  
17 Such terms shall not include a place of lodging with ten (10) or  
18 fewer rental units.

19 (d) "Restaurant" means and includes all places where  
20 prepared food is sold and whose annual gross proceeds of sales or



21 gross income for the preceding calendar year equals or exceeds One  
22 Hundred Thousand Dollars (\$100,000.00). For the purpose of  
23 calculating gross proceeds of sales or gross income, the sales or  
24 income of all establishments owned, operated or controlled by the  
25 same person or corporation shall be aggregated.

26 (e) "Prepared food" means food prepared on the premises  
27 of a restaurant.

28 **SECTION 2.** (1) For the purpose of providing funds for  
29 capital improvements for the enhancement of Freedom Ridge Park,  
30 the governing authorities, in their discretion, may hereby levy,  
31 assess and collect a special tax from persons, firms or  
32 corporations specified in this subsection, which shall be in  
33 addition to all other taxes or assessments imposed. The special  
34 tax may be imposed upon every person, firm or corporation that:

35 (a) Operates a restaurant in the city where prepared  
36 food and drink are sold to the public, at a rate not to exceed one  
37 percent (1%) of the gross proceeds of the sales of such  
38 restaurant; and

39 (b) Operates a hotel or motel in the city at a rate not  
40 to exceed two percent (2%) of the gross proceeds of room rentals  
41 for each such hotel or motel.

42 (2) Persons, firms, corporations or other entities liable  
43 for the tax imposed under subsection (1) of this section shall add  
44 the amount of the tax to the sales price and shall collect,  
45 insofar as practicable, the amount of the tax due from the person



46 purchasing the food, beverages, hotel or motel accommodations at  
47 the time of payment therefor.

48 (3) The special tax shall be collected by and paid to the  
49 Department of Revenue on a form prescribed by the department in  
50 the manner that general state sales taxes are computed, collected  
51 and paid. Full enforcement provisions and all other provisions of  
52 Section 27-65-1 et seq., Mississippi Code of 1972, shall apply as  
53 necessary to the implementation and administration of this act.

54 (4) Except for any amount retained by the Department of  
55 Revenue pursuant to Section 27-3-58, Mississippi Code of 1972, the  
56 proceeds of the special tax shall be paid to the city on or before  
57 the fifteenth day of the month following the month in which such  
58 special tax is collected.

59 (5) The proceeds of the special tax shall not be considered  
60 by the city as general fund revenues but shall be dedicated to and  
61 expended solely for the purpose of capital improvements for the  
62 enhancement of Freedom Ridge Park, Phase II.

63 **SECTION 3.** Before any special tax authorized pursuant to  
64 this act may be levied, the governing authorities shall adopt a  
65 resolution declaring their intention to levy the special tax,  
66 setting forth the amount of the special tax to be levied, the date  
67 upon which the special tax shall become effective, and calling for  
68 an election to be held on the question of the levy of the special  
69 tax. The date of the election shall be the first Tuesday after  
70 the first Monday in November 2024. Notice of such intention and



71 the election shall be published once each week for at least three  
72 (3) consecutive weeks in a newspaper published in or having a  
73 general circulation in the city, with the first publication of the  
74 notice to be made not less than twenty-one (21) days before the  
75 date fixed in the resolution for the election and the last  
76 publication to be made not more than seven (7) days before the  
77 date fixed in the resolution for the election. At the election,  
78 all qualified electors of the city may vote, and the ballots used  
79 in the election shall have printed thereon a brief statement of  
80 the amount and purposes of the proposed special tax levy and the  
81 words "FOR THE TAX" and, on a separate line, "AGAINST THE TAX,"  
82 and the voters shall vote by placing a cross (X) or check (☐)  
83 opposite their choice on the ballot. When the results of the  
84 election have been canvassed and certified, the city may levy the  
85 special tax if sixty percent (60%) of the qualified electors who  
86 vote in the election vote in favor of the special tax. At least  
87 thirty (30) days before the effective date of the special tax  
88 provided in this section, the governing authorities shall furnish  
89 a certified copy of the resolution evidencing the special tax to  
90 the Department of Revenue.

91 **SECTION 4.** Accounting for receipts and expenditures of the  
92 funds generated by the special tax herein described shall be made  
93 separately from the accounting of receipts and expenditures of the  
94 general fund and any other funds of the city. The records  
95 reflecting the receipts and expenditures of the funds generated by



96 the special tax prescribed in this act shall be audited annually  
97 by an independent certified public accountant, and the accountant  
98 shall make a written report of the audit to the governing  
99 authorities. The audit shall be made and completed as soon as  
100 practicable after the close of the fiscal year, and expenses of  
101 the audit shall be paid from the funds derived in accordance with  
102 this act.

103         **SECTION 5.** This act shall stand repealed from and after the  
104 first day of the month immediately succeeding the date the final  
105 payment has been issued to cover the capital improvements for the  
106 enhancement of Freedom Ridge Park, Phase II.

107         **SECTION 6.** This act shall take effect and be in force from  
108 and after its passage.

