

By: Senator(s) Hopson

To: Finance

SENATE BILL NO. 2564

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, 2025, 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, 2025.

