

By: Senator(s) Robinson

To: Local and Private

SENATE BILL NO. 3058

1 AN ACT TO AMEND CHAPTER 917, LOCAL AND PRIVATE LAWS OF 2021,
2 TO EXTEND THE DATE OF REPEAL, FROM JULY 1, 2025, TO JULY 1, 2029,
3 ON THE LAW AUTHORIZING THE CITY OF PETAL, MISSISSIPPI, TO IMPOSE A
4 TAX ON THE GROSS PROCEEDS OF THE SALES OF BARS AND RESTAURANTS AND
5 ON THE GROSS PROCEEDS FROM OVERNIGHT ROOM RENTALS OF HOTELS AND
6 MOTELS FOR THE PURPOSE OF PROVIDING FUNDS FOR THE PROMOTION OF
7 TOURISM, PARKS AND RECREATION WITHIN THE CITY; AND FOR RELATED
8 PURPOSES.

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

10 **SECTION 1.** Chapter 917, Local and Private Laws of 2021, is
11 amended as follows:

12 Section 1. As used in this act:

13 (a) "City" means the City of Petal, Mississippi.

14 (b) "Governing authorities" means the governing
15 authorities of the City of Petal, Mississippi.

16 (c) "Bar" means all places, required by law to possess
17 an on-premises Alcoholic Beverage Control permit, where beer
18 and/or alcoholic beverages are sold for consumption on the
19 premises.

20 (d) "Restaurant" means all places where prepared food
21 and beverages, including beer and alcoholic beverages, are sold



for consumption, whether such food is consumed on the premises or not. The term "restaurant" does not include any school, hospital, convalescent or nursing home, or any restaurant-like facility operated by or in connection with a school, hospital, medical clinic, convalescent or nursing home providing food for students, patients and visitors of their families.

(e) "Facilities" means tourism and parks and recreation and other related and ancillary facilities.

(f) "Hotel" or "motel" means a place of lodging that at any one time will accommodate transient guests on a daily or weekly basis.

Section 2. (1) For the purpose of providing funds to promote tourism and improve parks and recreation within the City of Petal, Mississippi, the governing authorities of the City of Petal are authorized, in their discretion, to levy and collect from the following persons a tax, which shall be in addition to all of the taxes and assessments imposed. The tax shall be imposed on the following persons:

(a) A tax upon every person, firm or corporation operating a bar in the City of Petal, at a rate not to exceed three percent (3%) of the gross proceeds of the sales of such bar;

(b) A tax upon every person, firm or corporation operating a restaurant in the City of Petal, at a rate not to exceed three percent (3%) of the gross proceeds of the sales of



beer and alcoholic beverages sold for consumption on the premises
and all prepared foods of such restaurant; and

(c) A tax upon every person, firm or corporation
operating hotels and motels in the city, in an amount not to
exceed three percent (3%) of the gross proceeds from overnight
room rental, exclusive of charges for food, telephone, laundry,
beverages and similar charges.

(2) Persons, firms or corporations liable for the levy
imposed under subsection (1) of this section shall add the amount
of the levy to the sales price of the products and services set
out in subsection (1) of this section and shall collect, insofar
as is practicable, the amount of the tax due by them from the
person receiving the services or product at the time of payment
therefor.

(3) Such tax shall be collected by and paid to the
Department of Revenue on a form prescribed by the Department of
Revenue in the manner that sales taxes are computed, collected and
paid; and full enforcement provisions and all other provisions of
Chapter 65, Title 27, Mississippi Code of 1972, shall apply as
necessary to the implementation and administration of this act.

(4) The proceeds of such tax, less three percent (3%)
thereof which shall be retained by the Department of Revenue to
defray the cost of collection, shall be paid to the governing
authorities of the City of Petal, on or before the fifteenth day
of the month in which collected.



71 (5) The proceeds of such tax shall not be considered by the
72 City of Petal as general fund revenues but shall be dedicated to
73 and expended solely for the purposes specified in this section.

74 Section 3. Before any tax authorized under this act may be
75 imposed, the governing authorities shall adopt a resolution
76 declaring its intention to levy the tax, setting forth the amount
77 of such tax to be imposed, the date upon which such tax shall
78 become effective and calling for a referendum to be held on the
79 question. Notice of such intention shall be published once each
80 week for at least three (3) consecutive weeks in a newspaper
81 published or having a general circulation in Forrest County, with
82 the first publication of such notice to be made not less than
83 twenty-one (21) days before the date fixed in the resolution for
84 the election and the last publication to be made not more than
85 seven (7) days before the referendum. At the referendum, all
86 qualified electors of the City of Petal may vote, and the ballots
87 used in such election shall have printed thereon a brief statement
88 of the amount and purposes of the proposed tax levy and the words
89 "FOR THE TAX" and, on a separate line, "AGAINST THE TAX," and the
90 voters shall vote by placing a cross (X) or check (✓) opposite
91 their choice on the proposition. When the results of any such
92 referendum shall have been canvassed by the city election
93 commission and certified, the city may levy the tax beginning on
94 the first day of the second month following the referendum, only
95 if at least sixty percent (60%) of the qualified electors who vote



96 in the election vote in favor of the tax. No public funds shall
97 be used for the purpose of promoting the adoption of the
98 referendum and no city employee may promote the referendum during
99 business hours.

100 Section 4. Persons, firms or corporations liable for the tax
101 imposed under this act shall add the amount of the tax to the
102 sales price and shall collect, insofar as practicable, the amount
103 of tax due from the person receiving the services or products at
104 the time of the payment therefor.

105 Section 5. Accounting for receipts and expenditures of the
106 funds described in this act must be made separately from the
107 accounting of receipts and expenditures of the general fund and
108 any other funds of the City of Petal. The records reflecting the
109 receipts and expenditures of the funds prescribed in this act
110 shall be audited annually by an independent certified public
111 accountant, and the accountant shall make a written report of his
112 audit to the governing authorities. The audit shall be made and
113 completed as soon as practicable after the close of the fiscal
114 year, and expenses of such audit shall be paid from the funds
115 derived pursuant to this act.

116 Section 6. This act shall be repealed from and after July
117 1, * * * 2029.

118 **SECTION 2.** This act shall take effect and be in force from
119 and after its passage.

