

By: Rogers, Weathersby, Smith (59th)

To: Military Affairs;
Ways and Means

HOUSE BILL NO. 1158

1 AN ACT TO CREATE THE MISSISSIPPI MILITARY DEPARTMENT FUNERAL
2 FUND; TO AMEND SECTION 75-76-129, MISSISSIPPI CODE OF 1972, TO
3 PROVIDE THAT A PORTION OF THE MONTHLY REVENUES COLLECTED FROM
4 GAMING FEES SHALL BE DEPOSITED INTO THE FUND; AND FOR RELATED
5 PURPOSES.

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

7 SECTION 1. (1) A special fund, to be designated the
8 "Mississippi Military Department Funeral Fund," is created within
9 the State Treasury. The fund shall be maintained by the State
10 Treasurer as a separate and special fund, separate and apart from
11 the General Fund of the State. The fund shall consist of monies
12 deposited into the fund under Section 75-76-129 and any other
13 monies made available for the fund. Unexpended amounts remaining
14 in the fund at the end of a fiscal year shall not lapse into the
15 State General Fund, and any interest earned or investment earnings
16 on amounts in the fund shall be deposited into such fund. Monies
17 in the fund shall be expended, upon appropriation by the
18 Legislature, to pay the costs incurred by the Mississippi Military
19 Department in providing military funerals. Costs for which funds
20 may be expended include salaries for personnel, vehicle and
21 equipment purchases, and other costs determined to be necessary by
22 the Mississippi Military Department.

23 SECTION 2. Section 75-76-129, Mississippi Code of 1972, is
24 amended as follows:

25 **[Through June 30, 2012, this section shall read as follows:]**

26 75-76-129. On or before the last day of each month all
27 taxes, fees, interest, penalties, damages, fines or other monies

28 collected by the State Tax Commission during that month under the
29 provisions of this chapter, with the exception of (a) the local
30 government fees imposed under Section 75-76-195, and (b) an amount
31 equal to Three Million Dollars (\$3,000,000.00) of the revenue
32 collected pursuant to the fee imposed under Section
33 75-76-177(1)(c), or an amount equal to twenty-five percent (25%)
34 of the revenue collected pursuant to the fee imposed under Section
35 75-65-177(1)(c), whichever is the greater amount, and (c) an
36 amount equal to One Hundred Thousand Dollars (\$100,000.00) of the
37 revenue collected pursuant to the fee imposed under Section
38 75-76-177(1)(c), shall be paid by the State Tax Commission to the
39 State Treasurer to be deposited in the State General Fund. The
40 local government fees shall be distributed by the State Tax
41 Commission pursuant to Section 75-76-197. An amount equal to
42 Three Million Dollars (\$3,000,000.00) of the revenue collected
43 during that month pursuant to the fee imposed under Section
44 75-76-177(1)(c) shall be deposited by the State Tax Commission
45 into the bond sinking fund created in Section 65-39-3. The
46 revenue collected during that month pursuant to the fee imposed
47 under Section 75-76-177(1)(c) that is in excess of Three Million
48 Dollars (\$3,000,000.00), but is less than twenty-five percent
49 (25%) of the amount of revenue collected during that month, shall
50 be deposited into the State Highway Fund to be used exclusively
51 for the reconstruction and maintenance of highways of the State of
52 Mississippi. The avails of an amount equal to One Hundred
53 Thousand Dollars (\$100,000.00) of the revenue collected pursuant
54 to the fee imposed under Section 75-76-177(1)(c) shall be
55 deposited by the State Tax Commission into the special fund
56 created in Section 1 of this act.

57 **[From and after July 1, 2012, this section shall read as**
58 **follows:]**

59 75-76-129. On or before the last day of each month, all
60 taxes, fees, interest, penalties, damages, fines or other monies
61 collected by the State Tax Commission during that month under the
62 provisions of this chapter, with the exception of: (a) the local
63 government fees imposed under Section 75-76-195, and (b) an amount
64 equal to One Hundred Thousand Dollars (\$100,000.00) of the revenue

65 collected pursuant to the fee imposed under Section
66 75-76-177(1)(c), shall be paid by the State Tax Commission to the
67 State Treasurer to be deposited in the State General Fund. The
68 local government fees shall be distributed by the State Tax
69 Commission pursuant to Section 75-76-197. The avails of an amount
70 equal to One Hundred Thousand Dollars (\$100,000.00) of the revenue
71 collected pursuant to the fee imposed under Section
72 75-76-177(1)(c) shall be deposited by the State Tax Commission
73 into the special fund created in Section 1 of this act.

74 SECTION 3. This act shall take effect and be in force from
75 and after January 1, 2001.