

By: Brown

To: Ways and Means

## HOUSE BILL NO. 1179

1 AN ACT TO CREATE A NEW SECTION TO BE CODIFIED AS SECTION  
2 27-19-56.15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE  
3 OF DISTINCTIVE LICENSE TAGS IN SUPPORT OF ANIMAL CARE AND ANIMAL  
4 CARE ORGANIZATIONS; TO PROVIDE FOR AN ADDITIONAL FEE TO BE IMPOSED  
5 FOR THE ISSUANCE OF SUCH TAGS; TO CREATE A SPECIAL FUND IN THE  
6 STATE TREASURY IN WHICH SHALL BE DEPOSITED THE ADDITIONAL FEES  
7 COLLECTED FROM THE ISSUANCE OF SUCH DISTINCTIVE TAGS; TO PROVIDE  
8 THAT THE MISSISSIPPI BOARD OF ANIMAL HEALTH SHALL ADMINISTER THE  
9 SPECIAL FUND AND SHALL DISTRIBUTE MONIES IN THE FUND TO THE BOARDS  
10 OF SUPERVISORS AND GOVERNING AUTHORITIES OF MUNICIPALITIES; TO  
11 PROVIDE THAT THE BOARDS OF SUPERVISORS AND THE GOVERNING  
12 AUTHORITIES OF MUNICIPALITIES MAY EXPEND SUCH MONIES FOR THE  
13 OPERATION AND SUPPORT OF COUNTY OR MUNICIPAL AGENCIES, BOARDS OR  
14 DEPARTMENTS THAT PROVIDE CARE, FOR LOST, ABANDONED OR UNWANTED  
15 PETS OR MAY DONATE SUCH MONIES TO NONPROFIT GROUPS, ORGANIZATIONS  
16 AND ASSOCIATIONS THAT OPERATE SIMILAR PROGRAMS; TO AUTHORIZE THE  
17 MISSISSIPPI BOARD OF ANIMAL HEALTH TO ADOPT RULES AND REGULATIONS  
18 GOVERNING THE PROPER ADMINISTRATION OF THE ANIMAL CARE FUND, AND  
19 ESTABLISHING GUIDELINES AND CRITERIA FOR THE DISTRIBUTION AND  
20 ALLOCATION OF MONIES IN THE FUND; TO AMEND SECTION 69-15-9,  
21 MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS  
22 ACT; AND FOR RELATED PURPOSES.

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

24 SECTION 1. The following shall be codified as Section  
25 27-19-56.15, Mississippi Code of 1972:

26 27-19-56.15. (1) Any owner of a motor vehicle who is a  
27 resident of this state, upon payment of the road and bridge  
28 privilege taxes, ad valorem taxes and registration fees as  
29 prescribed by law for private carriers of passengers, pickup  
30 trucks and other noncommercial motor vehicles, and upon payment of  
31 an additional fee in the amount provided in subsection (3) of this  
32 section, shall be issued a distinctive license tag for each motor  
33 vehicle registered in his name, which license tag shall depict the  
34 silhouettes of a person, a dog, a cat and a horse within a heart,  
35 and shall be produced in such color and design as the State Tax  
36 Commission may prescribe. The words "We Care for Animals" shall

37 be centered at the bottom of the license tag, with a silhouette on  
38 each side. The State Tax Commission shall prescribe such letters  
39 or numbers, or both, as may be necessary to distinguish each  
40 license tag.

41 (2) Application for the distinctive license tags authorized  
42 by this section shall be made to the county tax collector on forms  
43 prescribed by the State Tax Commission. The application and the  
44 additional fee imposed under subsection (3) of this section, less  
45 five percent (5%) thereof to be retained by the tax collector,  
46 shall be remitted to the State Tax Commission within seven (7)  
47 days of the date the application is made. The portion of the  
48 additional fee retained by the tax collector shall be deposited  
49 into the county general fund.

50 (3) Beginning with any registration year commencing on or  
51 after July 1, 2000, any person applying for a distinctive license  
52 tag under this section shall pay an additional fee in the amount  
53 of Fifty Dollars (\$50.00) for each distinctive license tag applied  
54 for under this section, which shall be in addition to all other  
55 taxes and fees. The additional fee paid shall be for a period of  
56 time to run concurrent with the vehicle's established license tag  
57 year. The additional fee is due and payable at the time the  
58 original application is made for a distinctive license tag under  
59 this section and thereafter annually at the time of renewal  
60 registration as long as the owner retains the distinctive license  
61 tag. If the owner does not wish to retain the distinctive license  
62 tag, he must surrender it to the local county tax collector.

63 (4) The State Tax Commission shall deposit all fees into the  
64 State Treasury on the day collected. At the end of each month,  
65 the State Tax Commission shall certify to the State Treasurer the  
66 total fees collected under this section from the issuance of the  
67 distinctive license tags issued under this section. The State  
68 Treasurer shall distribute an amount equal to Seven Dollars  
69 (\$7.00) of the additional fees collected for each such distinctive  
70 license tag issued under this section to the State General Fund,  
71 and the remainder of such additional fees collected shall be  
72 deposited by the State Treasurer into the special fund created in  
73 Section 2 of this act.

74           (5) A regular license tag must be properly displayed as  
75 required by law until replaced by a distinctive license tag under  
76 this section. The regular license tag must be surrendered to the  
77 tax collector upon issuance of the distinctive license tag under  
78 this section. The tax collector shall issue up to two (2) license  
79 decals for each distinctive license tag issued under this section,  
80 which will expire the same month and year as the regular license  
81 tag.

82           (6) In the case of loss or theft of a distinctive license  
83 tag issued under this section, the owner may make application and  
84 affidavit for a replacement distinctive license tag as provided by  
85 Section 27-19-37. The fee for a replacement distinctive license  
86 tag shall be Ten Dollars (\$10.00). The tax collector receiving  
87 such application and affidavit shall be entitled to retain and  
88 deposit into the county general fund five percent (5%) of the fee  
89 for such replacement license tag and the remainder shall be  
90 distributed in the same manner as funds from the sale of regular  
91 distinctive license tags issued under this section.

92           SECTION 2. (1) There is created in the State Treasury a  
93 special fund to be known and designated as the "Animal Care Fund."  
94 There shall be deposited in the fund (a) the additional fees  
95 collected from the issuance of distinctive license tags under  
96 Section 27-19-56.15, (b) any gifts, grants, donations or matching  
97 money from federal, state or local governmental bodies and private  
98 persons, associations, groups or corporations making contributions  
99 to the fund; and (c) such other monies as the Legislature may  
100 appropriate or authorize to be deposited therein.

101           (2) The special fund created under subsection (1) of this  
102 section shall be administered by the Mississippi Board of Animal  
103 Health. Monies in the special fund shall be allocated and  
104 distributed by the Mississippi Board of Animal Health to and among  
105 the boards of supervisors of each of the counties and the  
106 governing authorities of municipalities in the state. Monies

107 allocated, distributed and received by the boards of supervisors  
108 and governing authorities (a) may be expended for the operation  
109 and support of county or municipal agencies, boards or departments  
110 that provide food, shelter and care, and/or spaying and neutering,  
111 of lost, abandoned or unwanted pets; (b) may be expended for the  
112 creation, development or expansion of such agencies, boards or  
113 departments; or (c) may be donated by the boards of supervisors  
114 and governing authorities to nonprofit groups, organizations and  
115 associations that operate similar programs.

116 (3) The Mississippi Board of Animal Health shall adopt rules  
117 and regulations governing the proper administration of the Animal  
118 Care Fund, and establishing guidelines and criteria for the  
119 distribution and allocation of monies in the fund, including  
120 qualifications for those groups, organizations and associations to  
121 which boards of supervisors and governing authorities may make  
122 donations.

123 SECTION 3. Section 69-15-9, Mississippi Code of 1972, is  
124 amended as follows:

125 69-15-9. The Board of Animal Health shall have plenary power  
126 to deal with all contagious and infectious diseases of animals as  
127 in the opinion of the board may be prevented, controlled or  
128 eradicated, and with full power to make, promulgate and enforce  
129 such rules and regulations as in the judgment of the board may be  
130 necessary to control, eradicate and prevent the introduction and  
131 spread of anthrax, tuberculosis, hog cholera, Texas and splenic  
132 fever and the fever-carrying tick (*margaropus annulatus*), cattle  
133 brucellosis, anaplasmosis, infectious bovine rhinotracheitis,  
134 muscosal disease, cattle viral diarrhea, cattle scabies, sheep  
135 scabies, hog cholera, swine erysipelas, swine brucellosis, equine  
136 encephalomyelitis, rabies, vesicular diseases, salmonella group,  
137 newcastle disease, infectious laryngotracheitis,  
138 ornithosis-psittacosis, mycoplasma group and any suspected new  
139 and/or foreign diseases of livestock and poultry and all other

140 diseases of animals in this state, and the board is hereby vested  
141 with full authority to establish and maintain quarantine lines and  
142 to quarantine by county, supervisors district, parcel of land or  
143 herd. The State Veterinarian shall appoint as many inspectors and  
144 range riders as may be deemed necessary, and the funds at his  
145 disposal will permit, and shall delegate authority to said  
146 inspectors and range riders, to enter premises to inspect and  
147 disinfect livestock and premises, and enforce quarantine including  
148 counties, farms, pens, stables and other premises.

149 No officer or agent of the State Veterinarian may enter the  
150 actual enclosures of any person except (1) with the consent of the  
151 person lawfully in possession thereof or (2) in the absence of  
152 such consent, with a proper writ obtained as in other cases of  
153 searches and seizures under constitutional law. When such  
154 officers and agents are lawfully on the premises, either by  
155 permission or writ, they shall be authorized to inspect the  
156 premises and the livestock and animals found thereon by entering  
157 the enclosures and buildings and they are authorized to check  
158 livestock and poultry found therein for any contagious diseases  
159 and take proper action to control or eradicate any such diseases  
160 that may be found. While such officers and agents are performing  
161 their duties hereunder, they shall not be personally liable except  
162 for gross negligence. The refusal without lawful reason of any  
163 person to give the consent aforesaid shall be deemed a misdemeanor  
164 and shall be punishable as for violations of Article 5 of this  
165 chapter as provided for in Section 69-15-115.

166 The Board of Animal Health shall administer the special fund  
167 created in Section 2 of this act.

168 SECTION 4. This act shall take effect and be in force from  
169 and after July 1, 2000.