

By: Representative Ellzey

To: Ways and Means

HOUSE BILL NO. 393

1 AN ACT TO PROVIDE AN INCOME TAX CREDIT FOR TAXPAYERS WHO PAY
2 AD VALOREM TAXES ON POULTRY HOUSES THAT PRODUCE CHICKEN BROILERS
3 FOR SALE AT WHOLESALE IN AN AMOUNT EQUAL TO THE AMOUNT OF THE AD
4 VALOREM TAXES SO PAID; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** For any taxpayer who pays to a county,
7 municipality, school district, levee district or any other taxing
8 authority of the state or a political subdivision thereof, ad
9 valorem taxes imposed on poultry houses that produce chicken
10 broilers for sale at wholesale, there shall be allowed a credit
11 against the income taxes imposed by this chapter in an amount
12 equal to the amount of the ad valorem taxes so paid for the
13 taxable year. The credit may be claimed only for the year in
14 which the ad valorem taxes are paid. The credit may not exceed
15 the amount of income tax imposed upon the taxpayer for the taxable
16 year reduced by the sum of all other credits allowable to the
17 taxpayer under this chapter, except credit for tax payments made
18 by or on behalf of the taxpayer. Amounts used by a taxpayer as a
19 credit under this section may not be used as a deduction by the
20 taxpayer for state income tax purposes.

21 **SECTION 2.** Nothing in this act shall affect or defeat any
22 claim, assessment, appeal, suit, right or cause of action for
23 taxes due or accrued under the income tax laws before the date on
24 which this act becomes effective, whether such claims,
25 assessments, appeals, suits or actions have been begun before the
26 date on which this act becomes effective or are begun thereafter;
27 and the provisions of the income tax laws are expressly continued
28 in full force, effect and operation for the purpose of the



29 assessment, collection and enrollment of liens for any taxes due
30 or accrued and the execution of any warrant under such laws before
31 the date on which this act becomes effective, and for the
32 imposition of any penalties, forfeitures or claims for failure to
33 comply with such laws.

34 **SECTION 3.** Section 1 of this act shall be codified as a
35 separate code section in Chapter 7, Title 27, Mississippi Code of
36 1972.

37 **SECTION 4.** This act shall take effect and be in force from
38 and after January 1, 2002.

