

By: Representative West

To: Ways and Means

HOUSE BILL NO. 299

1 AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY,
2 WITH THE CONSENT OF THE GOVERNING AUTHORITIES OF EACH MUNICIPALITY
3 LOCATED THEREIN, TO LEVY A SPECIAL SALES TAX OF ONE PERCENT UPON
4 ALL SALES AND SERVICES WITHIN THE COUNTY AND IN ANY MUNICIPALITY
5 LOCATED THEREIN, WHICH SALES AND SERVICES ARE SUBJECT TO THE
6 GENERAL RATE OF SALES TAX; TO PROVIDE FOR AN ELECTION ON THE
7 QUESTION OF LEVYING SUCH TAX; TO REQUIRE THAT RESIDENTS OF THE
8 COUNTY BE PROVIDED WITH NOTICE OF THE PROJECT OR PROJECTS FOR
9 WHICH THE PROCEEDS OF THE SPECIAL SALES TAX WILL BE USED, THE COST
10 OF SUCH PROJECT OR PROJECTS AND A STATEMENT THAT THE TAX, IF
11 APPROVED AT AN ELECTION, WILL BE REPEALED NOT LATER THAN SEVEN
12 YEARS AFTER THE DATE OF ITS IMPOSITION; TO PROVIDE THAT THE TAX
13 SHALL BE COLLECTED BY THE STATE TAX COMMISSION; TO PROVIDE THAT
14 THE TAX AUTHORIZED IN THIS ACT SHALL BE REPEALED NOT LATER THAN
15 SEVEN YEARS AFTER THE DATE IT IS INITIALLY IMPOSED AND THAT AFTER
16 THE REPEAL OF THE TAX, A COUNTY MAY NOT SUBSEQUENTLY LEVY ANOTHER
17 SUCH TAX FOR AT LEAST THREE YEARS AFTER THE REPEAL OF THE PREVIOUS
18 TAX; TO PROVIDE THAT IF ANY PROCEEDS OF THE TAX REMAIN AFTER
19 COMPLETION OF THE PROJECT OR PROJECTS FOR WHICH THE PROCEEDS ARE
20 USED, SUCH REMAINING TAX PROCEEDS SHALL BE USED TO REDUCE THE
21 COUNTY AD VALOREM TAXES; TO AMEND SECTIONS 27-39-303, 27-39-317
22 AND 27-65-75, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE
23 PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

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

25 **SECTION 1.** (1) Subject to the provisions of subsection (2)
26 of this section, the board of supervisors of any county may levy,
27 assess and collect a special sales tax, in addition to all other
28 taxes now imposed, at the rate of one percent (1%) upon all sales
29 and services within the county and in any municipality located
30 within the county, which sales and services are subject to the
31 general state sales tax rate of seven percent (7%).

32 (2) (a) Before the tax authorized in subsection (1) of this
33 section may be imposed, the board of supervisors of the county
34 must adopt a resolution declaring the intention to levy the tax
35 and providing that if the governing authorities of each
36 municipality located in the county adopt a resolution supporting
37 the proposed special sales tax, then a referendum will be held on

38 the question of levying such tax. The resolution of the board of
39 supervisors and the governing authorities must contain a detailed
40 description of the project or projects for which the proceeds of
41 the tax shall be used, the cost of such project or projects and a
42 statement that the tax, if approved at an election, will be
43 repealed not later than seven (7) years after the date of its
44 imposition. If the requirements of this subsection (2) are met,
45 then an election on the question of levy and assessment of such
46 tax shall be called and held as herein provided. Notice of such
47 election shall be signed by the clerk of the board of supervisors
48 and shall be published once a week for at least three (3)
49 consecutive weeks in at least one (1) newspaper published or
50 having a general circulation in the county. The first publication
51 of such notice shall be made not less than twenty-one (21) days
52 before the date fixed for the election and the last publication
53 shall be made not more than seven (7) days before such date.

54 (b) The election on the question of the levy of the tax
55 authorized in this section shall be held, as far as is
56 practicable, in the same manner as other elections are held in
57 counties. At the election, all qualified electors of the county
58 may vote, and the ballots used at such election shall have printed
59 thereon a statement of the amount and purpose of the proposed tax
60 levy, including a description of the project or projects for which
61 the proceeds of the tax shall be used and the cost of such project
62 or projects, and the words "FOR THE SPECIAL SALES TAX," and
63 "AGAINST THE SPECIAL SALES TAX," and the voters shall vote by
64 placing a cross (X) or check (✓) opposite their choice on the
65 proposition. When the results of the election on the question of
66 the levy of the tax have been canvassed by the election
67 commissioners of the county and certified by them to the board of
68 supervisors, the county may levy the tax if a majority of the
69 qualified electors who vote in the election vote in favor of the
70 tax.

71 (3) (a) Persons liable for the tax imposed under this
72 section shall add the amount of tax to the sales price or gross
73 proceeds of sales, and in addition thereto, shall collect, insofar
74 as practicable, the amount of the tax due by him from the person
75 receiving the services at the time of payment therefor.

76 (b) The tax shall be collected by and paid to the State
77 Tax Commission on a form prescribed by the State Tax Commission,
78 in the same manner that state sales taxes are computed, collected
79 and paid; and the full enforcement provisions and all other
80 provisions of Chapter 65, Title 27, Mississippi Code of 1972,
81 shall apply as necessary to the implementation and administration
82 of this section.

83 (c) The proceeds of the tax shall be paid to the board
84 of supervisors of the county on or before the fifteenth day of the
85 month following the month in which collected by the State Tax
86 Commission.

87 (d) The proceeds of the tax shall not be considered by
88 the county as general fund revenue and shall be placed into a
89 separate special fund apart from the county general fund and any
90 other funds of the county, and such special fund shall be
91 maintained and administered jointly in the name of the county and
92 each municipality located in the county. Monies in such special
93 fund shall be used solely for the purposes stated in the
94 resolutions of the board of supervisors and governing authorities
95 as described in subsection (2)(a) of this section.

96 (4) The tax levy authorized in this section shall be
97 repealed not later than seven (7) years after the date it is
98 initially imposed. After the repeal of the tax levy, a county may
99 not subsequently levy another such tax for at least three (3)
100 years after the repeal date of the previous tax.

101 (5) If any proceeds of the tax remain after completion of
102 the project or projects for which the proceeds are used, then the

103 remaining tax proceeds shall be used to reduce the ad valorem
104 taxes levied by the county.

105 **SECTION 2.** Section 27-39-303, Mississippi Code of 1972, is
106 amended as follows:

107 27-39-303. Subject to the provisions of this section, the
108 board of supervisors of any county is hereby empowered to levy ad
109 valorem taxes on taxable property in the respective counties in
110 any one (1) year, as shown by the assessment roll containing
111 assessments of property made as of January 1 of the year, and the
112 assessment of motor vehicles as made according to the provisions
113 of the Motor Vehicle Ad Valorem Tax Law of 1958 (Section 27-51-1
114 et seq.) for all general county purposes, exclusive only of levies
115 for roads and bridges and schools at the rate necessary to fund
116 such purposes. The board of supervisors of any county levying the
117 special sales tax authorized in Section 1 of House Bill No. _____,
118 2004 Regular Session, shall use any excess proceeds of such tax to
119 reduce the ad valorem taxes levied by the county as provided in
120 Section 1(5) of House Bill No. _____, 2004 Regular Session.

121 The board of supervisors of any county is further empowered
122 to expend the proceeds of this levy for any purpose authorized for
123 any other levy which the board of supervisors is authorized to
124 make, excluding the levy for roads and bridges, and the board may
125 authorize general fund expenditures for school purposes when
126 necessary to meet the minimum local ad valorem tax effort required
127 by Section 37-57-1, Mississippi Code of 1972.

128 The board of supervisors of any county is further empowered
129 to distribute from the county general fund a portion of the
130 county's share of payments made by the Tennessee Valley Authority
131 to the state in lieu of taxes (a) to the school districts of said
132 county and (b) for construction on the roads and bridges of said
133 county in an amount which bears the same proportion to the total
134 amount of the county's share as the millage for the school fund
135 and road and bridge fund bears to the total millage levied by the

136 county. In the event said in lieu payments are expended for
137 capital improvements, said payments shall not be subject to the
138 increase limitations specified in Section 27-39-321 or 37-57-107,
139 Mississippi Code of 1972.

140 **SECTION 3.** Section 27-39-317, Mississippi Code of 1972, is
141 amended as follows:

142 27-39-317. Subject to the provisions of this section, the
143 board of supervisors of each county shall, at its regular meeting
144 in September of each year, levy the county ad valorem taxes for
145 the fiscal year, and shall, by order, fix the tax rate, or levy,
146 for the county, for the road districts, if any, and for the school
147 districts, if any, and for any other taxing districts; and the
148 rates, or levies, for the county and for any district shall be
149 expressed in mills or a decimal fraction of a mill. Said tax
150 rates, or levies, shall determine the ad valorem taxes to be
151 collected upon each dollar of valuation, upon the assessment rolls
152 of the county, including the assessment of motor vehicles as
153 provided by the Motor Vehicle Ad Valorem Tax Law of 1958, Section
154 27-51-1 et seq., for county taxes; and upon each dollar of
155 valuation for the respective districts, as shown upon the
156 assessment rolls of the county, including the assessment of motor
157 vehicles as provided by the Motor Vehicle Ad Valorem Tax Law of
158 1958, Section 27-51-1 et seq.; except as to such values as shall
159 be exempt, in whole or in part, from certain tax rates or levies.
160 If the rate or levy for the county is an increase from the
161 previous fiscal year, then the proposed rate or levy shall be
162 advertised in accordance with Sections 27-39-203 and 27-39-205.
163 If the board of supervisors of any county shall not levy the
164 county taxes and the district taxes at its regular September
165 meeting, the board shall levy the same on or before September 15
166 at an adjourned or special meeting, or thereafter, provided,
167 however, that if such levy be not made on or before the fifteenth
168 day of September then the tax collector or State Tax Commission

169 may issue road and bridge privilege tax license plates for motor
170 vehicles as defined in the Motor Vehicle Ad Valorem Tax Law of
171 1958, Section 27-51-1 et seq., without collecting or requiring
172 proof of payment of county ad valorem taxes, and may continue to
173 so issue such plates until such levy is duly certified to him, and
174 for twenty-four (24) hours thereafter.

175 Notwithstanding the requirements of this section, in the
176 event the State Tax Commission orders the county to make an
177 adjustment to the tax roll pursuant to Section 27-35-113, the
178 county shall have a period of thirty (30) days from the date of
179 the commission's final determination to adjust the millage in
180 order to collect the same dollar amount of taxes as originally
181 levied by the board.

182 In making the levy of taxes, the board of supervisors shall
183 specify, in its order, the levy for each purpose, as follows:

184 (a) For general county purposes (current expense and
185 maintenance taxes), as authorized by Section 27-39-303.

186 (b) For roads and bridges, as authorized by Section
187 27-39-305.

188 (c) For schools, including the countywide minimum
189 education program levy and the levy for each school district
190 including special municipal separate school districts, but not
191 including other municipal separate school districts, and for an
192 agricultural high school, county high school or junior college
193 (current expense and maintenance taxes), as authorized by Chapter
194 57, Title 37, Mississippi Code of 1972, and any other applicable
195 statute. The levy for schools shall apply to the assessed value
196 of property in the respective school districts, including special
197 municipal separate school districts, but not including other
198 municipal separate school districts, and a distinct and separate
199 levy shall be made for each school district, and the purpose for
200 each levy shall be stated.

201 (d) For road bonds and the interest thereon, separately
202 for countywide bonds and for the bonds of each road district.

203 (e) For school bonds and the interest thereon,
204 separately for countywide bonds and for the bonds of each school
205 district.

206 (f) For countywide bonds, and the interest thereon,
207 other than for road bonds and school bonds.

208 (g) For loans, notes or any other obligation, and the
209 interest thereon, if permitted by the law.

210 (h) For any other purpose for which a levy is lawfully
211 made.

212 The order shall state all of the purposes for which the
213 general county levy is made, using the administrative items
214 suggested by the State Department of Audit of Mississippi under
215 the county budget law in its uniform system of accounts for
216 counties, but the rate or levy for any item or purpose need not be
217 shown; and if a countywide levy is made for any general or special
218 purpose under the provisions of any law other than Section
219 27-39-303, each such levy shall be separately stated.

220 During the month of February of each year, if the order or
221 resolution of the board of trustees of any school district of said
222 county or partly in said county, is filed with it requesting the
223 levying of ad valorem taxes for the support and maintenance of
224 such school district for the following fiscal year, then the board
225 of supervisors of every such county in the state shall notify, in
226 writing, within thirty (30) days, the county superintendent of
227 education of such county, the levy or levies it intends to make
228 for the support and maintenance of such school districts of such
229 county at its regular meeting in September following, and the
230 county superintendent of education and the trustees of all such
231 school districts shall be authorized to use such expressed
232 intention of the board of supervisors in computing the support and
233 maintenance budget or budgets of such school district or districts

234 for the ensuing fiscal school year. The board of supervisors of
235 any county levying the special sales tax authorized in Section 1
236 of House Bill No. , 2004 Regular Session, shall use any excess
237 proceeds of such tax to reduce the ad valorem taxes levied by the
238 county as provided in Section 1(5) of House Bill No. , 2004
239 Regular Session.

240 **SECTION 4.** Section 27-65-75, Mississippi Code of 1972, is
241 amended as follows:

242 27-65-75. On or before the fifteenth day of each month, the
243 revenue collected under the provisions of this chapter during the
244 preceding month shall be paid and distributed as follows:

245 (1) On or before August 15, 1992, and each succeeding month
246 thereafter through July 15, 1993, eighteen percent (18%) of the
247 total sales tax revenue collected during the preceding month under
248 the provisions of this chapter, except that collected under the
249 provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on
250 business activities within a municipal corporation shall be
251 allocated for distribution to such municipality and paid to such
252 municipal corporation. On or before August 15, 1993, and each
253 succeeding month thereafter, eighteen and one-half percent
254 (18-1/2%) of the total sales tax revenue collected during the
255 preceding month under the provisions of this chapter, except that
256 collected under the provisions of Sections 27-65-15, 27-65-19(3)
257 and 27-65-21, on business activities within a municipal
258 corporation shall be allocated for distribution to such
259 municipality and paid to such municipal corporation.

260 A municipal corporation, for the purpose of distributing the
261 tax under this subsection, shall mean and include all incorporated
262 cities, towns and villages.

263 Monies allocated for distribution and credited to a municipal
264 corporation under this subsection may be pledged as security for
265 any loan received by the municipal corporation for the purpose of
266 capital improvements as authorized under Section 57-1-303, or

267 loans as authorized under Section 57-44-7, or water systems
268 improvements as authorized under Section 41-3-16.

269 In any county having a county seat which is not an
270 incorporated municipality, the distribution provided hereunder
271 shall be made as though the county seat was an incorporated
272 municipality; however, the distribution to such municipality shall
273 be paid to the county treasury wherein the municipality is located
274 and such funds shall be used for road, bridge and street
275 construction or maintenance therein.

276 (2) On or before September 15, 1987, and each succeeding
277 month thereafter, from the revenue collected under this chapter
278 during the preceding month One Million One Hundred Twenty-five
279 Thousand Dollars (\$1,125,000.00) shall be allocated for
280 distribution to municipal corporations as defined under subsection
281 (1) of this section in the proportion that the number of gallons
282 of gasoline and diesel fuel sold by distributors to consumers and
283 retailers in each such municipality during the preceding fiscal
284 year bears to the total gallons of gasoline and diesel fuel sold
285 by distributors to consumers and retailers in municipalities
286 statewide during the preceding fiscal year. The State Tax
287 Commission shall require all distributors of gasoline and diesel
288 fuel to report to the commission monthly the total number of
289 gallons of gasoline and diesel fuel sold by them to consumers and
290 retailers in each municipality during the preceding month. The
291 State Tax Commission shall have the authority to promulgate such
292 rules and regulations as is necessary to determine the number of
293 gallons of gasoline and diesel fuel sold by distributors to
294 consumers and retailers in each municipality. In determining the
295 percentage allocation of funds under this subsection for the
296 fiscal year beginning July 1, 1987, and ending June 30, 1988, the
297 State Tax Commission may consider gallons of gasoline and diesel
298 fuel sold for a period of less than one (1) fiscal year. For the

299 purposes of this subsection, the term "fiscal year" means the
300 fiscal year beginning July 1 of a year.

301 (3) On or before September 15, 1987, and on or before the
302 fifteenth day of each succeeding month, until the date specified
303 in Section 65-39-35, the proceeds derived from contractors' taxes
304 levied under Section 27-65-21 on contracts for the construction or
305 reconstruction of highways designated under the highway program
306 created under Section 65-3-97 shall, except as otherwise provided
307 in Section 31-17-127, be deposited into the State Treasury to the
308 credit of the State Highway Fund to be used to fund such highway
309 program. The Mississippi Department of Transportation shall
310 provide to the State Tax Commission such information as is
311 necessary to determine the amount of proceeds to be distributed
312 under this subsection.

313 (4) On or before August 15, 1994, and on or before the
314 fifteenth day of each succeeding month through July 15, 1999, from
315 the proceeds of gasoline, diesel fuel or kerosene taxes as
316 provided in Section 27-5-101(a)(ii)1, Four Million Dollars
317 (\$4,000,000.00) shall be deposited in the State Treasury to the
318 credit of a special fund designated as the "State Aid Road Fund,"
319 created by Section 65-9-17. On or before August 15, 1999, and on
320 or before the fifteenth day of each succeeding month, from the
321 total amount of the proceeds of gasoline, diesel fuel or kerosene
322 taxes apportioned by Section 27-5-101(a)(ii)1, Four Million
323 Dollars (\$4,000,000.00) or an amount equal to twenty-three and
324 one-fourth percent (23.25%) of such funds, whichever is the
325 greater amount, shall be deposited in the State Treasury to the
326 credit of the "State Aid Road Fund," created by Section 65-9-17.
327 Such funds shall be pledged to pay the principal of and interest
328 on state aid road bonds heretofore issued under Sections 19-9-51
329 through 19-9-77, in lieu of and in substitution for the funds
330 heretofore allocated to counties under this section. Such funds
331 may not be pledged for the payment of any state aid road bonds

332 issued after April 1, 1981; however, this prohibition against the
333 pledging of any such funds for the payment of bonds shall not
334 apply to any bonds for which intent to issue such bonds has been
335 published, for the first time, as provided by law prior to March
336 29, 1981. From the amount of taxes paid into the special fund
337 pursuant to this subsection and subsection (9) of this section,
338 there shall be first deducted and paid the amount necessary to pay
339 the expenses of the Office of State Aid Road Construction, as
340 authorized by the Legislature for all other general and special
341 fund agencies. The remainder of the fund shall be allocated
342 monthly to the several counties in accordance with the following
343 formula:

344 (a) One-third (1/3) shall be allocated to all counties
345 in equal shares;

346 (b) One-third (1/3) shall be allocated to counties
347 based on the proportion that the total number of rural road miles
348 in a county bears to the total number of rural road miles in all
349 counties of the state; and

350 (c) One-third (1/3) shall be allocated to counties
351 based on the proportion that the rural population of the county
352 bears to the total rural population in all counties of the state,
353 according to the latest federal decennial census.

354 For the purposes of this subsection, the term "gasoline,
355 diesel fuel or kerosene taxes" means such taxes as defined in
356 paragraph (f) of Section 27-5-101.

357 The amount of funds allocated to any county under this
358 subsection for any fiscal year after fiscal year 1994 shall not be
359 less than the amount allocated to such county for fiscal year
360 1994. Monies allocated to a county from the State Aid Road Fund
361 for fiscal year 1995 or any fiscal year thereafter that exceed the
362 amount of funds allocated to that county from the State Aid Road
363 Fund for fiscal year 1994, first must be expended by the county
364 for replacement or rehabilitation of bridges on the state aid road

365 system that have a sufficiency rating of less than twenty-five
366 (25), according to National Bridge Inspection standards before
367 such monies may be approved for expenditure by the State Aid Road
368 Engineer on other projects that qualify for the use of state aid
369 road funds.

370 Any reference in the general laws of this state or the
371 Mississippi Code of 1972 to Section 27-5-105 shall mean and be
372 construed to refer and apply to subsection (4) of Section
373 27-65-75.

374 (5) One Million Six Hundred Sixty-six Thousand Six Hundred
375 Sixty-six Dollars (\$1,666,666.00) each month shall be paid into
376 the special fund known as the "State Public School Building Fund"
377 created and existing under the provisions of Sections 37-47-1
378 through 37-47-67. Such payments into said fund are to be made on
379 the last day of each succeeding month hereafter.

380 (6) An amount each month beginning August 15, 1983, through
381 November 15, 1986, as specified in Section 6 of Chapter 542, Laws
382 of 1983, shall be paid into the special fund known as the
383 Correctional Facilities Construction Fund created in Section 6 of
384 Chapter 542, Laws of 1983.

385 (7) On or before August 15, 1992, and each succeeding month
386 thereafter through July 15, 2000, two and two hundred sixty-six
387 one-thousandths percent (2.266%) of the total sales tax revenue
388 collected during the preceding month under the provisions of this
389 chapter, except that collected under the provisions of Section
390 27-65-17(2) shall be deposited by the commission into the School
391 Ad Valorem Tax Reduction Fund created pursuant to Section
392 37-61-35. On or before August 15, 2000, and each succeeding month
393 thereafter, two and two hundred sixty-six one-thousandths percent
394 (2.266%) of the total sales tax revenue collected during the
395 preceding month under the provisions of this chapter, except that
396 collected under the provisions of Section 27-65-17(2), shall be
397 deposited into the School Ad Valorem Tax Reduction Fund created

398 under Section 37-61-35 until such time that the total amount
399 deposited into the fund during a fiscal year equals Forty-two
400 Million Dollars (\$42,000,000.00). Thereafter, the amounts
401 diverted under this subsection (7) during the fiscal year in
402 excess of Forty-two Million Dollars (\$42,000,000.00) shall be
403 deposited into the Education Enhancement Fund created under
404 Section 37-61-33 for appropriation by the Legislature as other
405 education needs and shall not be subject to the percentage
406 appropriation requirements set forth in Section 37-61-33.

407 (8) On or before August 15, 1992, and each succeeding month
408 thereafter, nine and seventy-three one-thousandths percent
409 (9.073%) of the total sales tax revenue collected during the
410 preceding month under the provisions of this chapter, except that
411 collected under the provisions of Section 27-65-17(2) shall be
412 deposited into the Education Enhancement Fund created pursuant to
413 Section 37-61-33.

414 (9) On or before August 15, 1994, and each succeeding month
415 thereafter, from the revenue collected under this chapter during
416 the preceding month, Two Hundred Fifty Thousand Dollars
417 (\$250,000.00) shall be paid into the State Aid Road Fund.

418 (10) On or before August 15, 1994, and each succeeding month
419 thereafter through August 15, 1995, from the revenue collected
420 under this chapter during the preceding month, Two Million Dollars
421 (\$2,000,000.00) shall be deposited into the Motor Vehicle Ad
422 Valorem Tax Reduction Fund established in Section 27-51-105.

423 (11) Notwithstanding any other provision of this section to
424 the contrary, on or before February 15, 1995, and each succeeding
425 month thereafter, the sales tax revenue collected during the
426 preceding month under the provisions of Section 27-65-17(2) and
427 the corresponding levy in Section 27-65-23 on the rental or lease
428 of private carriers of passengers and light carriers of property
429 as defined in Section 27-51-101 shall be deposited, without

430 diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund
431 established in Section 27-51-105.

432 (12) Notwithstanding any other provision of this section to
433 the contrary, on or before August 15, 1995, and each succeeding
434 month thereafter, the sales tax revenue collected during the
435 preceding month under the provisions of Section 27-65-17(1) on
436 retail sales of private carriers of passengers and light carriers
437 of property, as defined in Section 27-51-101 and the corresponding
438 levy in Section 27-65-23 on the rental or lease of these vehicles,
439 shall be deposited, after diversion, into the Motor Vehicle Ad
440 Valorem Tax Reduction Fund established in Section 27-51-105.

441 (13) On or before July 15, 1994, and on or before the
442 fifteenth day of each succeeding month thereafter, that portion of
443 the avails of the tax imposed in Section 27-65-22, which is
444 derived from activities held on the Mississippi state fairgrounds
445 complex, shall be paid into a special fund hereby created in the
446 State Treasury and shall be expended pursuant to legislative
447 appropriations solely to defray the costs of repairs and
448 renovation at such Trade Mart and Coliseum.

449 (14) On or before August 15, 1998, and each succeeding month
450 thereafter through July 15, 2005, that portion of the avails of
451 the tax imposed in Section 27-65-23 which is derived from sales by
452 cotton compresses or cotton warehouses and which would otherwise
453 be paid into the General Fund, shall be deposited in an amount not
454 to exceed Two Million Dollars (\$2,000,000.00) into the special
455 fund created pursuant to Section 69-37-39.

456 (15) Notwithstanding any other provision of this section to
457 the contrary, on or before September 15, 2000, and each succeeding
458 month thereafter, the sales tax revenue collected during the
459 preceding month under the provisions of Section 27-65-19(1)(f) and
460 (g)(i)2, shall be deposited, without diversion, into the
461 Telecommunications Ad Valorem Tax Reduction Fund established in
462 Section 27-38-7.

463 (16) On or before August 15, 2000, and each succeeding month
464 thereafter, the sales tax revenue collected during the preceding
465 month under the provisions of this chapter on the gross proceeds
466 of sales of a project as defined in Section 57-30-1 shall be
467 deposited, after all diversions except the diversion provided for
468 in subsection (1) of this section, into the Sales Tax Incentive
469 Fund created in Section 57-30-3.

470 (17) Notwithstanding any other provision of this section to
471 the contrary, on or before April 15, 2002, and each succeeding
472 month thereafter, the sales tax revenue collected during the
473 preceding month under Section 27-65-23 on sales of parking
474 services of parking garages and lots at airports shall be
475 deposited, without diversion, into the special fund created
476 pursuant to Section 27-5-101(d).

477 (18) On or before August 15, 2004, and each succeeding month
478 thereafter through July 15, 2005, from the sales tax revenue
479 collected during the preceding month under the provisions of this
480 chapter, Two Million Five Hundred Thousand Dollars (\$2,500,000.00)
481 shall be deposited into the Special Funds Transfer Fund created in
482 Section 4 of Laws, 2003, Chapter 556.

483 (19) Notwithstanding any other provision of this section to
484 the contrary, the revenue collected from the special sales tax
485 authorized under Section 1 of House Bill No. , 2004 Regular
486 Session, shall be allocated for distribution and distributed as
487 provided in Section 1 of House Bill No. , 2004 Regular
488 Session.

489 (20) The remainder of the amounts collected under the
490 provisions of this chapter shall be paid into the State Treasury
491 to the credit of the General Fund.

492 (21) It shall be the duty of the municipal officials of any
493 municipality which expands its limits, or of any community which
494 incorporates as a municipality, to notify the commissioner of such
495 action thirty (30) days before the effective date. Failure to so

496 notify the commissioner shall cause such municipality to forfeit
497 the revenue which it would have been entitled to receive during
498 this period of time when the commissioner had no knowledge of the
499 action. If any funds have been erroneously disbursed to any
500 municipality or county or any overpayment of tax is recovered by
501 the taxpayer, the commissioner may make correction and adjust the
502 error or overpayment with such municipality or county by
503 withholding the necessary funds from any subsequent payment to be
504 made to the municipality or county.

505 **SECTION 5.** The Attorney General of the State of Mississippi,
506 shall submit this act, immediately upon approval by the Governor,
507 or upon approval by the Legislature subsequent to a veto, to the
508 Attorney General of the United States or to the United States
509 District Court for the District of Columbia in accordance with the
510 provisions of the Voting Rights Act of 1965, as amended and
511 extended.

512 **SECTION 6.** This act shall take effect and be in force from
513 and after the date it is effectuated under Section 5 of the Voting
514 Rights Act of 1965, as amended and extended.