

By: Senator(s) King, Carmichael, Mettetal,
Chaney, Michel, Harvey, Hyde-Smith

To: Judiciary, Division B

SENATE BILL NO. 2576

1 AN ACT TO AMEND SECTIONS 27-19-53, 27-19-54 AND 27-19-56.5,
2 MISSISSIPPI CODE OF 1972, TO INCREASE THE PENALTY FOR FRAUDULENTLY
3 OBTAINING DISABLED AMERICAN VETERAN, CONGRESSIONAL MEDAL OF HONOR,
4 FORMER PRISONER OF WAR, PEARL HARBOR SURVIVOR AND PURPLE HEART
5 RECIPIENT DISTINCTIVE MOTOR VEHICLE LICENSE TAGS; AND FOR RELATED
6 PURPOSES.

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

8 **SECTION 1.** Section 27-19-53, Mississippi Code of 1972, is
9 amended as follows:

10 27-19-53. (1) Any legal resident of the State of
11 Mississippi who is a veteran of service in the Armed Forces of the
12 United States, and who is rated as having one hundred percent
13 (100%) permanent service-connected disability by the Veterans'
14 Administration is privileged to purchase annually one (1) motor
15 vehicle license plate or tag in his or her county of legal
16 residence, for the sum of One Dollar (\$1.00) in total cost,
17 regardless of make or model of motor vehicle. The registration
18 year of such motor vehicle shall commence the first day of the
19 month in which application for registration is made, as provided
20 in Section 27-19-31.

21 (a) Not more than one (1) such motor vehicle license
22 plate or tag shall be issued to each such qualified veteran.

23 (b) This section pertains only to taxes or plates for
24 private passenger motor vehicles or pickup trucks.

25 (c) Proof of ownership of each particular motor vehicle
26 for which a license plate or tag is requested must be shown at
27 time of application for such plate or tag.

28 (d) Vehicles owned by such veterans are hereby exempt
29 from all ad valorem and privilege taxes; however, the surviving

30 spouse of a deceased person who was issued a license plate or tag
31 under this section shall be entitled to apply for or retain a
32 license issued under this section and may continue annually to
33 renew registration for one (1) motor vehicle license plate or tag
34 under this section for as long as the spouse remains unmarried. At
35 the time of application or renewal registration, a surviving
36 spouse who desires to retain the distinctive plate or tag issued
37 under this section shall file with the county tax collector a
38 sworn statement that the spouse is unmarried. Any such vehicle
39 when so registered shall be exempt from all ad valorem and
40 privilege taxes.

41 (2) The State Tax Commission is directed to furnish each
42 veteran obtaining a license tag under subsection (1) an emblem,
43 which the veteran shall attach securely to the tag, showing that
44 the tag was issued to a disabled American veteran.

45 (3) A license issued under this section shall not be
46 transferable to any other person.

47 (4) Any person evading or violating any of the provisions of
48 this section, or attempting to secure benefits under this section
49 to which he is not entitled, shall be guilty of a misdemeanor and,
50 upon conviction, shall be fined not less than * * * One Thousand
51 Dollars (\$1,000.00) or imprisoned in the county jail for not less
52 than six (6) months, or both.

53 **SECTION 2.** Section 27-19-54, Mississippi Code of 1972, is
54 amended as follows:

55 27-19-54. (1) Any legal resident of the State of
56 Mississippi who was a prisoner of war or who is a recipient of the
57 Congressional Medal of Honor is privileged to obtain one (1) motor
58 vehicle license plate or tag on an annual basis in his county of
59 legal residence. The registration year of such motor vehicle
60 shall commence the first day of the month in which application for
61 registration is made, as provided in Section 27-19-31, Mississippi
62 Code of 1972.

63 (2) This section pertains only to tags or plates for private
64 passenger motor vehicles or pickup trucks.

65 (3) Proof of ownership of each particular motor vehicle for
66 which a license plate or tag is requested and proof that the owner
67 thereof is a former prisoner of war or a recipient of the
68 Congressional Medal of Honor must be shown at time of application
69 for such plate or tag. A certificate from the State Veterans
70 Affairs Board stating that said individual is a former prisoner of
71 war or a recipient of the Congressional Medal of Honor shall be
72 sufficient proof.

73 (4) Vehicles owned by such former prisoners of war, a
74 recipient of the Congressional Medal of Honor or the unmarried
75 surviving spouse of any such person are hereby exempt from all
76 motor vehicle registration fees and privilege taxes.

77 (5) The State Tax Commission is directed to furnish to the
78 tax collector of each county a sufficient number of distinctive
79 motor vehicle license plates or tags which shall be of such color
80 and design as the State Tax Commission shall prescribe subject to
81 the approval of the Mississippi License Tag Commission and in
82 accordance with the provisions of Section 27-19-41. However, such
83 distinctive plates or tags shall bear and include the words
84 "Ex-POW."

85 (6) A license issued under this section shall not be
86 transferable to any other person; however, the surviving spouse of
87 a deceased person who was issued a license plate or tag under this
88 section shall be entitled to apply for or retain a license issued
89 under this section and may continue annually to renew registration
90 for one (1) motor vehicle license plate or tag under this section
91 for as long as the spouse remains unmarried. At the time of
92 application or renewal registration, a surviving spouse who
93 desires to retain the distinctive plate or tag issued under this
94 section shall file with the county tax collector a sworn statement
95 that the spouse is unmarried.

96 (7) Any person evading or violating any of the provisions of
97 this section, or attempting to secure benefits under this section
98 to which he is not entitled, shall be guilty of a misdemeanor and,
99 upon conviction, shall be fined not less than * * * One Thousand
100 Dollars (\$1,000.00) or by imprisonment in the county jail for not
101 less than six (6) months, or both.

102 (8) As used in this section, the term "prisoner of war"
103 means any regularly appointed, enrolled, enlisted or inducted
104 member of the military or naval forces of the United States who
105 was held as a prisoner of war for any period of time by any
106 government of any nation with which the United States has been at
107 war; and it also means any regularly appointed, enrolled, enlisted
108 or inducted member of the Armed Forces of the United States who
109 was held as a prisoner of war for any period of time subsequent to
110 June 25, 1950, by any hostile force with which the Armed Forces of
111 the United States were actually engaged in armed conflict
112 subsequent to such date and prior to August 21, 1954, or any
113 person (military or civilian) assigned to duty on the U.S.S.
114 Pueblo who was captured by the military forces of North Korea on
115 January 23, 1968, and thereafter held prisoner by the government
116 of North Korea for any period of time ending on or before December
117 23, 1968, except any person who, at any time, voluntarily,
118 knowingly and without duress, gave aid to or collaborated with or
119 in any manner served any such hostile force; and it also means any
120 regularly appointed, enrolled, enlisted or inducted member of the
121 Armed Forces of the United States who was held as a prisoner of
122 war for any period of time during the Vietnam Conflict by any
123 force hostile to the United States, except any such member who, at
124 any time, voluntarily, knowingly and without duress, gave aid to
125 or collaborated with, or in any manner served, such hostile force.
126 The term "Vietnam Conflict" relates to the period beginning
127 February 28, 1961, and ending on such date as shall thereafter be

128 determined by presidential proclamation or concurrent resolution
129 of the Congress.

130 **SECTION 3.** Section 27-19-56.5, Mississippi Code of 1972, is
131 amended as follows:

132 27-19-56.5. (1) In recognition of the patriotic service
133 rendered by Mississippians who survived the attack on Pearl Harbor
134 and by Mississippians who are recipients of the Purple Heart
135 Medal, any such person is privileged to obtain one (1) distinctive
136 motor vehicle license plate or tag identifying him as a Pearl
137 Harbor survivor or not more than two (2) distinctive motor vehicle
138 license plates or tags identifying him as a Purple Heart Medal
139 recipient. The distinctive plates or tags shall be of a color and
140 design designated by the State Tax Commission.

141 (2) The distinctive license plates shall be prepared by the
142 State Tax Commission and shall be issued through the tax
143 collectors of the counties in the same manner as are other motor
144 vehicle license plates or tags. A tag fee of Fifteen Dollars
145 (\$15.00), in addition to all other taxes and fees, shall be
146 collected by the tax collector for the Pearl Harbor distinctive
147 tag. The first distinctive tag issued to Purple Heart Medal
148 recipients under the provisions of this section shall be exempt
149 from ad valorem taxes, privilege taxes and all other taxes and
150 fees. There shall be no exemption from ad valorem taxes,
151 privilege taxes or other taxes and fees for the issuance of a
152 second distinctive tag to Purple Heart Medal recipients. However,
153 the surviving spouse of a deceased person who was issued a Purple
154 Heart Medal distinctive license plate or tag under this section
155 shall be entitled to apply for or retain one (1) such license tag
156 and may continue annually to renew registration for such
157 distinctive motor vehicle license plate or tag for as long as the
158 spouse remains unmarried. At the time of application or renewal
159 registration, a surviving spouse who desires to retain such
160 distinctive plate or tag shall file with the county tax collector

161 a sworn statement that the spouse is unmarried, and any such
162 vehicle when so registered shall be exempt from ad valorem taxes,
163 privilege taxes and all other taxes and fees. The tax collector
164 shall monthly forward the additional fee of Fifteen Dollars
165 (\$15.00) charged for issuance of a Pearl Harbor distinctive tag to
166 the State Tax Commission which shall deposit such fee to the
167 credit of the State General Fund. An applicant for a distinctive
168 tag under this section shall present to the issuing official
169 either (a) written proof that the applicant is an honorably
170 discharged former member of one (1) of the Armed Forces of the
171 United States and, while serving in the Armed Forces of the United
172 States, was present during the attack on the island of Oahu,
173 Territory of Hawaii, on December 7, 1941, between the hours of
174 7:55 a.m. and 9:45 a.m., Hawaii time, or (b) written proof that
175 the applicant is a Purple Heart Medal recipient. The distinctive
176 license plates or tags so issued shall be used only upon a
177 personally or jointly owned private passenger vehicle (to include
178 station wagons, recreational motor vehicles and pickup trucks)
179 registered in the name, or jointly in the name, of the person
180 making application therefor, and when issued to such person shall
181 be used upon the vehicle for which issued in lieu of the standard
182 license plate or license tag normally issued for such vehicle.

183 (3) The distinctive license plates shall not be transferable
184 between motor vehicle owners; and in the event the owner of a
185 vehicle bearing a distinctive plate shall sell, trade, exchange or
186 otherwise dispose of the vehicle, such plate shall be retained by
187 such owner and returned to the tax collector.

188 (4) Any person evading or violating any of the provisions of
189 this section, or attempting to secure benefits under this section
190 to which he is not entitled, shall be guilty of a misdemeanor and,
191 upon conviction, shall be fined not less than One Thousand Dollars
192 (\$1,000.00) or imprisoned in the county jail for not less than six
193 (6) months, or both.

194 **SECTION 4.** This act shall take effect and be in force from
195 and after its passage.