

By: Senator(s) Gordon (By Request)

To: Appropriations

SENATE BILL NO. 2645

1 AN ACT TO AMEND SECTION 31-31-11, MISSISSIPPI CODE OF 1972,
2 TO CLARIFY THE AUTHORIZED EXPENDITURES WHICH MAY BE MADE FROM THE
3 MISSISSIPPI TELECOMMUNICATION CONFERENCE AND TRAINING FACILITY
4 RESERVE FUND; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 31-31-11, Mississippi Code of 1972, is
7 amended as follows:

8 31-31-11. (1) For the purpose of providing funds for the
9 payment of a certain portion of the debt service on any bonds
10 issued pursuant to this chapter and for the purpose of providing
11 funds for the maintenance of the facility and renovations,
12 improvements and additions to the facility, there is hereby
13 levied, assessed and shall be collected from every person engaging
14 in or doing business in the City of Jackson, Mississippi, as
15 specified herein, a tax which may be cited as an "occupancy tax,"
16 which shall be in addition to all other taxes now imposed. Such
17 tax shall be upon each hotel and motel located within the City of
18 Jackson in the amount of Seventy-five Cents (75¢) per day for each
19 occupied room.

20 (2) Persons liable for the tax imposed herein shall add the
21 amount of tax to the price of rooms, and in addition thereto shall
22 collect, insofar as practicable, the amount of the tax due by him
23 from the person receiving the services or goods at the time of
24 payment therefor.

25 (3) Such tax shall be collected by and paid to the State Tax
26 Commission on a form prescribed by the State Tax Commission, in
27 the same manner that state sales taxes are collected and paid; and
28 the full enforcement provisions and all other provisions of

29 Chapter 65, Title 27, Mississippi Code of 1972, shall apply as
30 necessary to the implementation and administration of this
31 chapter.

32 (4) The proceeds of such tax shall be deposited by the State
33 Tax Commission into the reserve fund created pursuant to
34 subsection (5) of this section on or before the fifteenth day of
35 the month following the month in which collected by the State Tax
36 Commission.

37 (5) There is hereby created in the State Treasury a special
38 fund to be called the "Mississippi Telecommunication Conference
39 and Training Facility Reserve Fund." Money in the fund at the end
40 of a fiscal year shall not lapse into the general fund and
41 interest earned on any amount deposited into the fund shall be
42 credited to the special fund. Money in the fund shall be used to
43 pay a portion of the debt service of the bonds issued pursuant to
44 this chapter as specified in subsection (6) of this section and to
45 provide funds for the maintenance and operation of the facility,
46 including, but not limited to, the director and all other
47 personnel for operational purposes.

48 (6) The amount of the debt service that shall be paid
49 annually from the reserve fund shall be the amount of the debt
50 service on bonds attributable to forty percent (40%) of the cost
51 of constructing the facility and the amount of the debt service on
52 bonds attributable to all land acquisition costs. Amounts
53 remaining in the fund in any fiscal year after the payments
54 required by this subsection for debt service, may be used by the
55 commission to provide funds for the maintenance of the facility
56 and renovations, improvements and additions to the facility.

57 (7) Before the taxes authorized by this chapter shall be
58 imposed, the municipal governing authorities of the City of
59 Jackson shall adopt a resolution declaring its intention to levy
60 the tax, setting forth the amount of such tax and establishing the
61 date on which this tax initially shall be levied and collected.

62 This date shall be not less than the first day of the second month
63 from the date of adoption of the resolution.

64 The resolution shall be published in a local newspaper at
65 least twice during the period from the adoption of the resolution
66 to the effective date of the taxation prescribed in this section,
67 with the last publication being made no later than ten (10) days
68 prior to the effective date of such taxation.

69 (8) The tax imposed pursuant to this section shall remain in
70 force and effect until the City of Jackson shall by resolution
71 rescind the tax; provided, however, that the tax imposed pursuant
72 to this section shall not be rescinded if any bonds issued
73 pursuant to this chapter remain outstanding.

74 **SECTION 2.** This act shall take effect and be in force from
75 and after July 1, 2005.