

**Adopted
AMENDMENT NO 1 PROPOSED TO**

House Bill No. 1448

BY: Representatives Moak, Barnett

1 **AMEND** by inserting the following language after line 319 and
2 renumbering the succeeding section:

3 **SECTION 3.** Section 75-76-129, Mississippi Code of 1972, is
4 amended as follows:

5 **[Through June 30, 2022, this section shall read as follows:]**

6 75-76-129. On or before the last day of each month all
7 taxes, fees, interest, penalties, damages, fines or other monies
8 collected by the State Tax Commission during that month under the
9 provisions of this chapter, with the exception of (a) the local
10 government fees imposed under Section 75-76-195, * * * (b) an
11 amount equal to Three Million Dollars (\$3,000,000.00) of the
12 revenue collected pursuant to the fee imposed under Section
13 75-76-177(1)(c), or an amount equal to twenty-five percent (25%)
14 of the revenue collected pursuant to the fee imposed under Section
15 75-76-177(1)(c), whichever is the greater amount, and (c) an
16 amount equal to the revenue collected pursuant to the fee imposed
17 under Section 75-76-177(1)(c) on race book gross revenue, shall be
18 paid by the State Tax Commission to the State Treasurer to be
19 deposited in the State General Fund. The local government fees
20 shall be distributed by the State Tax Commission pursuant to
21 Section 75-76-197. Except for the period beginning on July 1,
22 2004, and through June 30, 2005, an amount equal to Three Million

Dollars (\$3,000,000.00) of the revenue collected during that month pursuant to the fee imposed under Section 75-76-177(1)(c) shall be deposited by the State Tax Commission into the bond sinking fund created in Section 65-39-3. Except for the period beginning on July 1, 2004, and through June 30, 2005, the revenue collected during that month pursuant to the fee imposed under Section 75-76-177(1)(c) that is in excess of Three Million Dollars (\$3,000,000.00), but is less than twenty-five percent (25%) of the amount of revenue collected during that month, shall be deposited into the State Highway Fund to be used exclusively for the reconstruction and maintenance of highways of the State of Mississippi. The revenue collected during that month pursuant to the fee imposed under Section 75-76-177(1)(c) on race book gross revenue shall be deposited into the special fund created in Section 4 of House Bill No. 1448, 2005 Regular Session, until such time that the total amount deposited into the special fund during a fiscal year equals Twenty-four Million Dollars (\$24,000,000.00). Thereafter, the amounts diverted under this provision during the fiscal year in excess of Twenty-four Million Dollars (\$24,000,000.00) shall be deposited into the State General Fund.

For the period beginning on July 1, 2004, and through June 30, 2005, twenty-five percent (25%) of the amount of revenue collected during each month pursuant to the fee imposed under Section 75-76-177(1)(c) shall be deposited into the Budget Contingency Fund created in Section 27-103-301.

[From and after July 1, 2022, this section shall read as follows:]

75-76-129. On or before the last day of each month, all taxes, fees, interest, penalties, damages, fines or other monies collected by the State Tax Commission during that month under the provisions of this chapter, with the exception of (a) the local government fees imposed under Section 75-76-195, and (b) an amount

equal to the revenue collected pursuant to the fee imposed under
Section 75-76-177(1)(c) on race book gross revenue, shall be paid
by the State Tax Commission to the State Treasurer to be deposited
in the State General Fund. The local government fees shall be
distributed by the State Tax Commission pursuant to Section
75-76-197. The revenue collected during that month pursuant to
the fee imposed under Section 75-76-177(1)(c) on race book gross
revenue shall be deposited into the special fund created in
Section 4 of House Bill No. 1448, 2005 Regular Session, until such
time that the total amount deposited into the special fund during
a fiscal year equals Twenty-four Million Dollars (\$24,000,000.00).
Thereafter, the amounts diverted under this provision during the
fiscal year in excess of Twenty-four Million Dollars
(\$24,000,000.00) shall be deposited into the State General Fund.

SECTION 4. There is created in the State Treasury a special
fund to the credit of the Department of Mental Health, which shall
be comprised of the monies required to be deposited into the fund
under Section 75-76-129 and any other funds that may be made
available for the fund by the Legislature. Monies in the fund
shall be expended by the Department of Mental Health, upon
appropriation by the Legislature, for the operation and
maintenance of mental health holding centers established by the
department under Section 41-4-7(m) and specialized treatment
facilities for the severely emotionally disturbed. Unexpended
amounts remaining in the special fund at the end of a fiscal year
shall not lapse into the State General Fund, and any interest
earned or investment earnings on amounts in the special fund shall
be deposited to the credit of the special fund.

AMEND FURTHER the title to conform.