

By: Senator(s) Horhn, Blount, Norwood,
Jackson (11th)

To: Accountability,
Efficiency, Transparency

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2525

1 AN ACT TO CREATE THE CAPITOL COMPLEX IMPROVEMENT DISTRICT; TO
2 ESTABLISH THE BOARD OF DIRECTORS OF THE CAPITOL COMPLEX
3 IMPROVEMENT DISTRICT TO IMPLEMENT AND SUPERVISE CERTAIN
4 IMPROVEMENT PROJECTS WITHIN SUCH DISTRICT; TO AUTHORIZE THE BOARD
5 OF DIRECTORS TO EMPLOY AN EXECUTIVE DIRECTOR WHO SHALL BE THE
6 CHIEF EXECUTIVE OFFICER OF THE BOARD AND ADMINISTER THE DAY-TO-DAY
7 ACTIVITIES OF THE DISTRICT; TO AUTHORIZE THE EXECUTIVE DIRECTOR,
8 SUBJECT TO APPROVAL OF THE BOARD OF DIRECTORS, TO EMPLOY PERSONS
9 AS HE OR SHE CONSIDERS NECESSARY FOR THE PROPER CONDUCT OF BOARD
10 BUSINESS; TO CREATE THE CAPITOL COMPLEX IMPROVEMENT DISTRICT
11 PROJECT ADVISORY COMMITTEE; TO PROVIDE THAT THE BOARD OF DIRECTORS
12 SHALL DEVELOP A COMPREHENSIVE PLAN FOR IMPROVEMENT PROJECTS IN THE
13 DISTRICT IN CONSULTATION WITH THE CAPITOL COMPLEX IMPROVEMENT
14 DISTRICT PROJECT ADVISORY COMMITTEE; TO PROVIDE THAT SUCH PLAN
15 SHALL ATTEMPT TO INCORPORATE THE NEEDS OF THE CITY OF JACKSON, THE
16 DEPARTMENT OF FINANCE AND ADMINISTRATION, JACKSON STATE
17 UNIVERSITY, THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER AND THE
18 MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY; TO PROVIDE THAT
19 ANY PLAN ADOPTED BY THE BOARD OF DIRECTORS MUST BE APPROVED BY THE
20 GOVERNING AUTHORITIES OF THE CITY OF JACKSON; TO REQUIRE
21 IMPROVEMENT PROJECTS UNDERTAKEN UNDER THIS ACT TO COMPORT WITH THE
22 PLAN; TO PROVIDE THAT THE PLAN MAY BE UPDATED AT ANY TIME AND
23 SHALL BE COMPLETELY UPDATED EVERY FIVE YEARS; TO CREATE THE
24 CAPITOL COMPLEX IMPROVEMENT DISTRICT PROJECT FUND, INTO WHICH
25 SHALL BE DEPOSITED THE MONEY SPECIFIED IN SECTION 27-65-75 AND
26 SUCH OTHER MONEY AS THE LEGISLATURE MAY PROVIDE BY APPROPRIATION;
27 TO PROVIDE THAT AN AMOUNT NOT TO EXCEED FIVE PERCENT OF THE AMOUNT
28 DEPOSITED INTO THE FUND MAY BE UTILIZED TO FUND THE ADMINISTRATIVE
29 EXPENSES OF THE DISTRICT; TO PROVIDE THAT AN AMOUNT OF NOT LESS
30 THAN 95% OF THE AMOUNT DEPOSITED INTO THE FUND SHALL BE UTILIZED
31 WITHIN THE DISTRICT FOR IMPROVEMENT PROJECTS; TO PROVIDE THAT THE
32 CITY OF JACKSON SHALL PROVIDE POLICE COVERAGE FOR MAJOR EVENTS
33 CONDUCTED WITHIN THE DISTRICT AND SHALL MAINTAIN ALL
34 INFRASTRUCTURE AND COMPLETED IMPROVEMENT PROJECTS WITHIN THE



35 DISTRICT; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO
36 DIVERT 12-1/2% OF THE TOTAL SALES TAX REVENUE COLLECTED ON
37 BUSINESS ACTIVITIES WITHIN THE CITY OF JACKSON AND TO DISTRIBUTE
38 15% OF THE REVENUE SO COLLECTED TO THE CITY OF JACKSON TO
39 COMPENSATE THE CITY FOR GENERAL POLICE AND FIRE PROTECTION
40 PROVIDED BY THE CITY IN THE CAPITOL COMPLEX IMPROVEMENT DISTRICT
41 AND FOR POLICE COVERAGE FOR MAJOR EVENTS CONDUCTED WITHIN SUCH
42 DISTRICT, AND TO PROVIDE THAT THE REMAINDER OF SUCH REVENUE SO
43 COLLECTED SHALL BE DEPOSITED INTO THE CAPITOL COMPLEX IMPROVEMENT
44 DISTRICT PROJECT FUND; AND FOR RELATED PURPOSES.

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

46 **SECTION 1.** As used in Sections 1 through of 10 this act:

47 (a) "Board" means the Board of Directors of the Capitol
48 Complex Improvement District.

49 (b) "District" means the Capitol Complex Improvement
50 District.

51 (c) "Improvement projects" means the following types of
52 projects in the public areas of the district:

53 (i) Street reconstruction, resurfacing and other
54 repairs to roadways, curbs and gutters;

55 (ii) Bridge construction, reconstruction and
56 repair;

57 (iii) Reconstructing and repairing of surface
58 water drainage systems including street drains, ditches, culverts
59 and other components of the system;

60 (iv) Installing and replacing street lighting;

61 (v) Installing and replacing traffic signals;

62 (vi) Installation of new water and sewer lines and
63 rehabilitation of existing water and sewer lines;



- 64 (vii) Reconstruction and repair of parks,
65 cemeteries and public rights-of-way;
- 66 (viii) Reconstruction and repair of sidewalks
67 along public streets;
- 68 (ix) Planting and replacing landscaping materials
69 and trees within public parks and rights-of-way;
- 70 (x) Constructing, reconstruction and repairing of
71 city-owned buildings used for public performances and the arts;
72 and
- 73 (xi) Placing above-ground utilities underground.

74 **SECTION 2.** There is created the Capitol Complex Improvement
75 District to be composed of the following described area in the
76 City of Jackson, Mississippi, that surrounds the State Capitol
77 Building:

78 CAPITOL COMPLEX PROPOSED BOUNDARIES

- 79 • Beginning at a point on the west bank of the Pearl River
80 determined by extending the south curb line of High Street east
81 until it meets the bank of the Pearl River;
- 82 • Then north along the west bank of the Pearl River
83 (extending along the southern boundary of LeFleur's Bluff State
84 Park) until it reaches the northern curb line of Lakeland Drive
85 (Highway 25);
- 86 • Then east along the north curb line of Lakeland Drive
87 until it reaches the northern drainage ditch of Eastover Drive;



88 • Then west along the northern drainage ditch and curb line
89 of Eastover Drive until it reaches the western curb line of the
90 west frontage road of I-55;

91 • Then south along the west curb line of such frontage road
92 until it reaches the northern curb line of Lakeland Drive;

93 • Then west along the northern curb line of Lakeland Drive
94 until it reaches the eastern curb line of Old Canton Road;

95 • Then north along east curb line of Old Canton Road until
96 it reaches the northern curb line of Fondren Place;

97 • Then west along the north curb line of Fondren Place to
98 the west curb line of North State Street;

99 • Then north along the west curb line of North State Street
100 to the north curb line of Mayes Street;

101 • Then west on north curb line of Mayes Street until it
102 reaches the west curb line of Livingston Road;

103 • Then south along the west curb line of Livingston Road
104 until it reaches the south curb line of Woodrow Wilson Drive;

105 • Then east along the south curb line of Woodrow Wilson
106 Drive to the west curb line of Bailey Avenue (which becomes
107 Gallatin Street);

108 • Then south along the west curb line of Bailey Avenue and
109 then Gallatin Street until it reaches the north curb line of Dr.
110 Robert Smith Sr. Parkway;



111 • Then west along the north curb line of Dr. Robert Smith
112 Sr. Parkway until it intersects with John R. Lynch Street on the
113 west side of Jackson State University;

114 • Then west on John R. Lynch Street until it reaches the
115 west curb line of Valley Street;

116 • Then south along the west curb line of Valley Street until
117 it reaches the north curb line of Morehouse Street;

118 • Then east along the north curb line of Morehouse Street
119 until it reaches the west curb line of Dalton Street;

120 • Then south along the west curb line of Dalton Street until
121 it reaches the south curb line of Florence Avenue;

122 • Then east along the south curb line of Florence Avenue
123 until it reaches the east curb line of University Blvd. (Terry
124 Road);

125 • Then north and along the east curb line of University
126 Blvd. until it reaches the south curb line of Hooker Street;

127 • Then east along the south curb line of Hooker Street
128 extending in a straight line to the railroad tracks;

129 • Then up west side of tracks to South Street;

130 • Then east on South Street to the east end of Jefferson
131 Street and extend South Street in a straight line to the east to
132 the western edge of I-55;

133 • Then north along the western edge of I-55 until it reaches
134 the south curb line of High Street;



135 • Then east along the south curb line of High Street and
136 extending such line to the Pearl River and the point of the
137 beginning.

138 **SECTION 3.** (1) There is created the Board of Directors of
139 the Capitol Complex Improvement District which shall be composed
140 of five (5) members, two (2) of whom shall be residents of Hinds
141 County and three (3) of whom shall be residents of Hinds, Rankin
142 or Madison Counties, appointed as follows:

143 (a) Two (2) members shall be appointed by the Governor,
144 with the advice and consent of the Senate, one (1) for an initial
145 term of three (3) years and one (1) for an initial term of one (1)
146 year;

147 (b) Two (2) members shall be appointed by the
148 Lieutenant Governor, with the advice and consent of the Senate,
149 one (1) of whom shall be a resident of Hinds County for an initial
150 term of two (2) years and one (1) for an initial term of one (1)
151 year; and

152 (c) One (1) member who shall be a resident of Hinds
153 County shall be appointed by the Mayor of the City of Jackson,
154 with the advise and consent of the Senate, for an initial term of
155 two (2) years.

156 After the initial terms, the terms of the board shall be for
157 three (3) years and until their successors are appointed and
158 qualified. Members to fill vacancies shall be appointed by the
159 appropriate appointing authority for the unexpired term.



160 SECTION 4. (1) Each person appointed as a member of the
161 board of directors shall qualify by taking the oath prescribed by
162 the Constitution for state officers and file a certificate thereof
163 in the Office of the Secretary of State within fifteen (15) days
164 after his or her appointment.

165 (2) There shall be a chairman of the board and such other
166 officers considered necessary by the board elected by and from its
167 membership.

168 (3) The board shall meet at least once quarterly to conduct
169 business, and may meet at such additional times as it may consider
170 necessary. Additional meetings may be called by the chairman of
171 the board or a majority of the members of the board.

172 (4) A majority of the members of the board shall constitute
173 a quorum for the conduct of meetings and all actions of the board
174 shall be by a majority vote.

175 (5) Each member of the board shall receive per diem
176 compensation as provided in Section 25-3-69 for attendance at
177 board meetings, together with necessary travel and other expenses
178 incurred in the discharge of his or her duties as a board member.

179 (6) The board shall implement and supervise projects
180 financed, in whole or in part, with funds from the Capitol Complex
181 Improvement District Project Fund.

182 (7) The board may borrow money to finance improvement
183 projects; however, not more than twenty-five percent (25%) of the
184 improvement project funds deposited in the Capitol Complex



185 Improvement District Project Fund in any fiscal year may be
186 utilized to pay principal, interest and other incidental expenses
187 incurred in connection with the debt. Any debt incurred under
188 this subsection shall mature not longer than five (5) years after
189 the date of issuance.

190 (8) To the extent possible, the commission shall incorporate
191 the Equal Business Opportunity Program of the City of Jackson when
192 awarding contracts.

193 **SECTION 5.** (1) The board may employ an executive director
194 who shall be the chief executive officer of the board and
195 administer the day-to-day activities of the district. The
196 executive director shall receive a salary set by the board subject
197 to approval by the State Personnel Board.

198 (2) The executive director, subject to approval of the
199 board, may employ persons as he or she considers necessary for the
200 proper conduct of board business.

201 (3) Other duties and responsibilities of the executive
202 director shall be defined by rules and regulations prescribed by
203 the board.

204 **SECTION 6.** The Department of Finance and Administration
205 shall provide necessary office space for the district and may
206 provide such personnel and services as requested by the board.
207 The board shall reimburse the Department of Finance and
208 Administration the cost of providing such personnel and services.



209 **SECTION 7.** (1) There is created the Capitol Complex
210 Improvement District Project Advisory Committee composed of the
211 following eleven (11) members:

212 (a) Three (3) members appointed by the Mayor of the
213 City of Jackson;

214 (b) One (1) member appointed by the Governor;

215 (c) One (1) member appointed by the Lieutenant
216 Governor;

217 (d) One (1) member appointed by the Speaker of the
218 House of Representatives;

219 (e) One (1) member appointed by the President of
220 Jackson State University;

221 (f) One (1) member appointed by the Dean of the
222 University of Mississippi School of Medicine;

223 (g) One (1) member appointed by the Board of Trustees
224 of the Mississippi Department of Archives and History;

225 (h) The Director of the Jackson Medical Mall
226 Foundation, or his or her designee; and

227 (i) The Executive Director of the Department of Finance
228 and Administration.

229 (2) Appointed members shall serve without compensation at
230 the will and pleasure of the appointing authority.

231 (3) The committee shall elect a chairman and such other
232 officers as it considers necessary from among its members.



233 (4) A majority of the members of the committee shall
234 constitute a quorum for the conduct of meetings and all actions of
235 the committee shall be by a majority vote.

236 (5) The committee shall consult with the board and advise
237 them in the development of comprehensive plans for improvement
238 projects in the district and any changes to such plans.

239 **SECTION 8.** The board shall develop a comprehensive plan for
240 improvement projects in the district in consultation with the
241 Capitol Complex Improvement District Project Advisory Committee.
242 The plan shall attempt to incorporate the needs of the City of
243 Jackson, the Department of Finance and Administration, Jackson
244 State University, the University of Mississippi Medical Center and
245 the Mississippi Department of Archives and History. Any plan
246 adopted by the board must be approved by the governing authorities
247 of the City of Jackson. Improvement projects undertaken under
248 Sections 1 through 10 of this act shall comport with the plan.
249 The plan may be updated at any time and shall be completely
250 updated every five (5) years.

251 **SECTION 9.** (1) There is created in the State Treasury the
252 Capitol Complex Improvement District Project Fund, into which
253 shall be deposited the money specified in Section 27-65-75(1)(c)
254 and such other money as the Legislature may provide by
255 appropriation.

256 (2) An amount not to exceed five percent (5%) of the amount
257 deposited into the fund may be utilized to fund salaries and



258 benefits of employees of the district and other administrative
259 expenses of the district approved by the board.

260 (3) An amount of not less than ninety-five percent (95%) of
261 the amount deposited into the fund, which shall be designated as
262 "improvement project funds," shall be utilized within the district
263 for improvement projects. In addition to fully funding
264 improvement projects, money in the fund may be utilized to fund a
265 portion of an improvement project in cases in which other funds
266 are available for a project and may be used as leverage or
267 matching funds for projects in the district that comport with the
268 district's comprehensive plan.

269 (4) Money in the fund shall be expended upon appropriation
270 by the Legislature. Unexpended amounts remaining in the fund at
271 the end of the state fiscal year shall not lapse into the State
272 General Fund, and investment earnings on amounts in the fund shall
273 be deposited to the credit of the fund.

274 **SECTION 10.** (1) The City of Jackson shall provide police
275 coverage for major events conducted within the district.

276 (2) The City of Jackson shall maintain all infrastructure
277 and completed improvement projects within the district.

278 **SECTION 11.** Section 27-65-75, Mississippi Code of 1972, is
279 amended as follows:

280 27-65-75. On or before the fifteenth day of each month, the
281 revenue collected under the provisions of this chapter during the
282 preceding month shall be paid and distributed as follows:



283 (1) (a) On or before August 15, 1992, and each succeeding
284 month thereafter through July 15, 1993, eighteen percent (18%) of
285 the total sales tax revenue collected during the preceding month
286 under the provisions of this chapter, except that collected under
287 the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on
288 business activities within a municipal corporation shall be
289 allocated for distribution to the municipality and paid to the
290 municipal corporation. On or before August 15, 1993, and each
291 succeeding month thereafter, eighteen and one-half percent
292 (18-1/2%) of the total sales tax revenue collected during the
293 preceding month under the provisions of this chapter, except that
294 collected under the provisions of Sections 27-65-15, 27-65-19(3),
295 27-65-21 and 27-65-24, on business activities within a municipal
296 corporation shall be allocated for distribution to the
297 municipality and paid to the municipal corporation.

298 A municipal corporation, for the purpose of distributing the
299 tax under this subsection, shall mean and include all incorporated
300 cities, towns and villages.

301 Monies allocated for distribution and credited to a municipal
302 corporation under this paragraph may be pledged as security for a
303 loan if the distribution received by the municipal corporation is
304 otherwise authorized or required by law to be pledged as security
305 for such a loan.

306 In any county having a county seat that is not an
307 incorporated municipality, the distribution provided under this



308 subsection shall be made as though the county seat was an
309 incorporated municipality; however, the distribution to the
310 municipality shall be paid to the county treasury in which the
311 municipality is located, and those funds shall be used for road,
312 bridge and street construction or maintenance in the county.

313 (b) On or before August 15, 2006, and each succeeding
314 month thereafter, eighteen and one-half percent (18-1/2%) of the
315 total sales tax revenue collected during the preceding month under
316 the provisions of this chapter, except that collected under the
317 provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on
318 business activities on the campus of a state institution of higher
319 learning or community or junior college whose campus is not
320 located within the corporate limits of a municipality, shall be
321 allocated for distribution to the state institution of higher
322 learning or community or junior college and paid to the state
323 institution of higher learning or community or junior college.

324 (c) On or before August 15, 2016, and each succeeding
325 month thereafter, twelve and one-half percent (12-1/2%) of the
326 total sales tax revenue collected during the preceding month under
327 the provisions of this chapter, except that collected under the
328 provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and
329 27-65-24, on business activities within the corporate limits of
330 the City of Jackson, Mississippi, shall be allocated for
331 distribution as follows:



332 (i) Fifteen percent (15%) of the revenue so
333 collected shall be allocated for distribution to the City of
334 Jackson, Mississippi, to compensate the city for general police
335 and fire protection provided by the city in the Capitol Complex
336 Improvement District created in Section 2 of this act and for
337 police coverage for major events conducted within such district;
338 and

339 (ii) The remainder of such revenue shall be
340 deposited into the Capitol Complex Improvement District Project
341 Fund created in Section 9 of this act.

342 (2) On or before September 15, 1987, and each succeeding
343 month thereafter, from the revenue collected under this chapter
344 during the preceding month, One Million One Hundred Twenty-five
345 Thousand Dollars (\$1,125,000.00) shall be allocated for
346 distribution to municipal corporations as defined under subsection
347 (1) of this section in the proportion that the number of gallons
348 of gasoline and diesel fuel sold by distributors to consumers and
349 retailers in each such municipality during the preceding fiscal
350 year bears to the total gallons of gasoline and diesel fuel sold
351 by distributors to consumers and retailers in municipalities
352 statewide during the preceding fiscal year. The Department of
353 Revenue shall require all distributors of gasoline and diesel fuel
354 to report to the department monthly the total number of gallons of
355 gasoline and diesel fuel sold by them to consumers and retailers
356 in each municipality during the preceding month. The Department



357 of Revenue shall have the authority to promulgate such rules and
358 regulations as is necessary to determine the number of gallons of
359 gasoline and diesel fuel sold by distributors to consumers and
360 retailers in each municipality. In determining the percentage
361 allocation of funds under this subsection for the fiscal year
362 beginning July 1, 1987, and ending June 30, 1988, the Department
363 of Revenue may consider gallons of gasoline and diesel fuel sold
364 for a period of less than one (1) fiscal year. For the purposes
365 of this subsection, the term "fiscal year" means the fiscal year
366 beginning July 1 of a year.

367 (3) On or before September 15, 1987, and on or before the
368 fifteenth day of each succeeding month, until the date specified
369 in Section 65-39-35, the proceeds derived from contractors' taxes
370 levied under Section 27-65-21 on contracts for the construction or
371 reconstruction of highways designated under the highway program
372 created under Section 65-3-97 shall, except as otherwise provided
373 in Section 31-17-127, be deposited into the State Treasury to the
374 credit of the State Highway Fund to be used to fund that highway
375 program. The Mississippi Department of Transportation shall
376 provide to the Department of Revenue such information as is
377 necessary to determine the amount of proceeds to be distributed
378 under this subsection.

379 (4) On or before August 15, 1994, and on or before the
380 fifteenth day of each succeeding month through July 15, 1999, from
381 the proceeds of gasoline, diesel fuel or kerosene taxes as



382 provided in Section 27-5-101(a)(ii)1, Four Million Dollars
383 (\$4,000,000.00) shall be deposited in the State Treasury to the
384 credit of a special fund designated as the "State Aid Road Fund,"
385 created by Section 65-9-17. On or before August 15, 1999, and on
386 or before the fifteenth day of each succeeding month, from the
387 total amount of the proceeds of gasoline, diesel fuel or kerosene
388 taxes apportioned by Section 27-5-101(a)(ii)1, Four Million
389 Dollars (\$4,000,000.00) or an amount equal to twenty-three and
390 one-fourth percent (23-1/4%) of those funds, whichever is the
391 greater amount, shall be deposited in the State Treasury to the
392 credit of the "State Aid Road Fund," created by Section 65-9-17.
393 Those funds shall be pledged to pay the principal of and interest
394 on state aid road bonds heretofore issued under Sections 19-9-51
395 through 19-9-77, in lieu of and in substitution for the funds
396 previously allocated to counties under this section. Those funds
397 may not be pledged for the payment of any state aid road bonds
398 issued after April 1, 1981; however, this prohibition against the
399 pledging of any such funds for the payment of bonds shall not
400 apply to any bonds for which intent to issue those bonds has been
401 published for the first time, as provided by law before March 29,
402 1981. From the amount of taxes paid into the special fund under
403 this subsection and subsection (9) of this section, there shall be
404 first deducted and paid the amount necessary to pay the expenses
405 of the Office of State Aid Road Construction, as authorized by the
406 Legislature for all other general and special fund agencies. The



407 remainder of the fund shall be allocated monthly to the several
408 counties in accordance with the following formula:

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

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

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

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

422 The amount of funds allocated to any county under this
423 subsection for any fiscal year after fiscal year 1994 shall not be
424 less than the amount allocated to the county for fiscal year 1994.

425 Any reference in the general laws of this state or the
426 Mississippi Code of 1972 to Section 27-5-105 shall mean and be
427 construed to refer and apply to subsection (4) of Section
428 27-65-75.

429 (5) One Million Six Hundred Sixty-six Thousand Six Hundred
430 Sixty-six Dollars (\$1,666,666.00) each month shall be paid into
431 the special fund known as the "State Public School Building Fund"



432 created and existing under the provisions of Sections 37-47-1
433 through 37-47-67. Those payments into that fund are to be made on
434 the last day of each succeeding month hereafter.

435 (6) An amount each month beginning August 15, 1983, through
436 November 15, 1986, as specified in Section 6 of Chapter 542, Laws
437 of 1983, shall be paid into the special fund known as the
438 Correctional Facilities Construction Fund created in Section 6 of
439 Chapter 542, Laws of 1983.

440 (7) On or before August 15, 1992, and each succeeding month
441 thereafter through July 15, 2000, two and two hundred sixty-six
442 one-thousandths percent (2.266%) of the total sales tax revenue
443 collected during the preceding month under the provisions of this
444 chapter, except that collected under the provisions of Section
445 27-65-17(2), shall be deposited by the department into the School
446 Ad Valorem Tax Reduction Fund created under Section 37-61-35. On
447 or before August 15, 2000, and each succeeding month thereafter,
448 two and two hundred sixty-six one-thousandths percent (2.266%) of
449 the total sales tax revenue collected during the preceding month
450 under the provisions of this chapter, except that collected under
451 the provisions of Section 27-65-17(2), shall be deposited into the
452 School Ad Valorem Tax Reduction Fund created under Section
453 37-61-35 until such time that the total amount deposited into the
454 fund during a fiscal year equals Forty-two Million Dollars
455 (\$42,000,000.00). Thereafter, the amounts diverted under this
456 subsection (7) during the fiscal year in excess of Forty-two



457 Million Dollars (\$42,000,000.00) shall be deposited into the
458 Education Enhancement Fund created under Section 37-61-33 for
459 appropriation by the Legislature as other education needs and
460 shall not be subject to the percentage appropriation requirements
461 set forth in Section 37-61-33.

462 (8) On or before August 15, 1992, and each succeeding month
463 thereafter, nine and seventy-three one-thousandths percent
464 (9.073%) of the total sales tax revenue collected during the
465 preceding month under the provisions of this chapter, except that
466 collected under the provisions of Section 27-65-17(2), shall be
467 deposited into the Education Enhancement Fund created under
468 Section 37-61-33.

469 (9) On or before August 15, 1994, and each succeeding month
470 thereafter, from the revenue collected under this chapter during
471 the preceding month, Two Hundred Fifty Thousand Dollars
472 (\$250,000.00) shall be paid into the State Aid Road Fund.

473 (10) On or before August 15, 1994, and each succeeding month
474 thereafter through August 15, 1995, from the revenue collected
475 under this chapter during the preceding month, Two Million Dollars
476 (\$2,000,000.00) shall be deposited into the Motor Vehicle Ad
477 Valorem Tax Reduction Fund established in Section 27-51-105.

478 (11) Notwithstanding any other provision of this section to
479 the contrary, on or before February 15, 1995, and each succeeding
480 month thereafter, the sales tax revenue collected during the
481 preceding month under the provisions of Section 27-65-17(2) and



482 the corresponding levy in Section 27-65-23 on the rental or lease
483 of private carriers of passengers and light carriers of property
484 as defined in Section 27-51-101 shall be deposited, without
485 diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund
486 established in Section 27-51-105.

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

496 (13) On or before July 15, 1994, and on or before the
497 fifteenth day of each succeeding month thereafter, that portion of
498 the avails of the tax imposed in Section 27-65-22 that is derived
499 from activities held on the Mississippi State Fairgrounds Complex
500 shall be paid into a special fund that is created in the State
501 Treasury and shall be expended upon legislative appropriation
502 solely to defray the costs of repairs and renovation at the Trade
503 Mart and Coliseum.

504 (14) On or before August 15, 1998, and each succeeding month
505 thereafter through July 15, 2005, that portion of the avails of
506 the tax imposed in Section 27-65-23 that is derived from sales by



507 cotton compresses or cotton warehouses and that would otherwise be
508 paid into the General Fund shall be deposited in an amount not to
509 exceed Two Million Dollars (\$2,000,000.00) into the special fund
510 created under Section 69-37-39. On or before August 15, 2007, and
511 each succeeding month thereafter through July 15, 2010, that
512 portion of the avails of the tax imposed in Section 27-65-23 that
513 is derived from sales by cotton compresses or cotton warehouses
514 and that would otherwise be paid into the General Fund shall be
515 deposited in an amount not to exceed Two Million Dollars
516 (\$2,000,000.00) into the special fund created under Section
517 69-37-39 until all debts or other obligations incurred by the
518 Certified Cotton Growers Organization under the Mississippi Boll
519 Weevil Management Act before January 1, 2007, are satisfied in
520 full. On or before August 15, 2010, and each succeeding month
521 thereafter through July 15, 2011, fifty percent (50%) of that
522 portion of the avails of the tax imposed in Section 27-65-23 that
523 is derived from sales by cotton compresses or cotton warehouses
524 and that would otherwise be paid into the General Fund shall be
525 deposited into the special fund created under Section 69-37-39
526 until such time that the total amount deposited into the fund
527 during a fiscal year equals One Million Dollars (\$1,000,000.00).
528 On or before August 15, 2011, and each succeeding month
529 thereafter, that portion of the avails of the tax imposed in
530 Section 27-65-23 that is derived from sales by cotton compresses
531 or cotton warehouses and that would otherwise be paid into the



532 General Fund shall be deposited into the special fund created
533 under Section 69-37-39 until such time that the total amount
534 deposited into the fund during a fiscal year equals One Million
535 Dollars (\$1,000,000.00).

536 (15) Notwithstanding any other provision of this section to
537 the contrary, on or before September 15, 2000, and each succeeding
538 month thereafter, the sales tax revenue collected during the
539 preceding month under the provisions of Section
540 27-65-19(1)(d)(i)2, and 27-65-19(d)(i)3 shall be deposited,
541 without diversion, into the Telecommunications Ad Valorem Tax
542 Reduction Fund established in Section 27-38-7.

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

550 (b) On or before August 15, 2007, and each succeeding
551 month thereafter, eighty percent (80%) of the sales tax revenue
552 collected during the preceding month under the provisions of this
553 chapter from the operation of a tourism project under the
554 provisions of Sections 57-26-1 through 57-26-5, shall be
555 deposited, after the diversions required in subsections (7) and



556 (8) of this section, into the Tourism Project Sales Tax Incentive
557 Fund created in Section 57-26-3.

558 (17) Notwithstanding any other provision of this section to
559 the contrary, on or before April 15, 2002, and each succeeding
560 month thereafter, the sales tax revenue collected during the
561 preceding month under Section 27-65-23 on sales of parking
562 services of parking garages and lots at airports shall be
563 deposited, without diversion, into the special fund created under
564 Section 27-5-101(d).

565 (18) [Repealed]

566 (19) (a) On or before August 15, 2005, and each succeeding
567 month thereafter, the sales tax revenue collected during the
568 preceding month under the provisions of this chapter on the gross
569 proceeds of sales of a business enterprise located within a
570 redevelopment project area under the provisions of Sections
571 57-91-1 through 57-91-11, and the revenue collected on the gross
572 proceeds of sales from sales made to a business enterprise located
573 in a redevelopment project area under the provisions of Sections
574 57-91-1 through 57-91-11 (provided that such sales made to a
575 business enterprise are made on the premises of the business
576 enterprise), shall, except as otherwise provided in this
577 subsection (19), be deposited, after all diversions, into the
578 Redevelopment Project Incentive Fund as created in Section
579 57-91-9.



580 (b) For a municipality participating in the Economic
581 Redevelopment Act created in Sections 57-91-1 through 57-91-11,
582 the diversion provided for in subsection (1) of this section
583 attributable to the gross proceeds of sales of a business
584 enterprise located within a redevelopment project area under the
585 provisions of Sections 57-91-1 through 57-91-11, and attributable
586 to the gross proceeds of sales from sales made to a business
587 enterprise located in a redevelopment project area under the
588 provisions of Sections 57-91-1 through 57-91-11 (provided that
589 such sales made to a business enterprise are made on the premises
590 of the business enterprise), shall be deposited into the
591 Redevelopment Project Incentive Fund as created in Section
592 57-91-9, as follows:

593 (i) For the first six (6) years in which payments
594 are made to a developer from the Redevelopment Project Incentive
595 Fund, one hundred percent (100%) of the diversion shall be
596 deposited into the fund;

597 (ii) For the seventh year in which such payments
598 are made to a developer from the Redevelopment Project Incentive
599 Fund, eighty percent (80%) of the diversion shall be deposited
600 into the fund;

601 (iii) For the eighth year in which such payments
602 are made to a developer from the Redevelopment Project Incentive
603 Fund, seventy percent (70%) of the diversion shall be deposited
604 into the fund;



605 (iv) For the ninth year in which such payments are
606 made to a developer from the Redevelopment Project Incentive Fund,
607 sixty percent (60%) of the diversion shall be deposited into the
608 fund; and

609 (v) For the tenth year in which such payments are
610 made to a developer from the Redevelopment Project Incentive Fund,
611 fifty percent (50%) of the funds shall be deposited into the fund.

612 (20) On or before January 15, 2007, and each succeeding
613 month thereafter, eighty percent (80%) of the sales tax revenue
614 collected during the preceding month under the provisions of this
615 chapter from the operation of a tourism project under the
616 provisions of Sections 57-28-1 through 57-28-5 shall be deposited,
617 after the diversions required in subsections (7) and (8) of this
618 section, into the Tourism Sales Tax Incentive Fund created in
619 Section 57-28-3.

620 (21) (a) On or before April 15, 2007, and each succeeding
621 month thereafter through June 15, 2013, One Hundred Fifty Thousand
622 Dollars (\$150,000.00) of the sales tax revenue collected during
623 the preceding month under the provisions of this chapter shall be
624 deposited into the MMEIA Tax Incentive Fund created in Section
625 57-101-3.

626 (b) On or before July 15, 2013, and each succeeding
627 month thereafter, One Hundred Fifty Thousand Dollars (\$150,000.00)
628 of the sales tax revenue collected during the preceding month
629 under the provisions of this chapter shall be deposited into the



630 Mississippi Development Authority Job Training Grant Fund created
631 in Section 57-1-451.

632 (22) Notwithstanding any other provision of this section to
633 the contrary, on or before August 15, 2009, and each succeeding
634 month thereafter, the sales tax revenue collected during the
635 preceding month under the provisions of Section 27-65-201 shall be
636 deposited, without diversion, into the Motor Vehicle Ad Valorem
637 Tax Reduction Fund established in Section 27-51-105.

638 (23) The remainder of the amounts collected under the
639 provisions of this chapter shall be paid into the State Treasury
640 to the credit of the General Fund.

641 (24) It shall be the duty of the municipal officials of any
642 municipality that expands its limits, or of any community that
643 incorporates as a municipality, to notify the commissioner of that
644 action thirty (30) days before the effective date. Failure to so
645 notify the commissioner shall cause the municipality to forfeit
646 the revenue that it would have been entitled to receive during
647 this period of time when the commissioner had no knowledge of the
648 action. If any funds have been erroneously disbursed to any
649 municipality or any overpayment of tax is recovered by the
650 taxpayer, the commissioner may make correction and adjust the
651 error or overpayment with the municipality by withholding the
652 necessary funds from any later payment to be made to the
653 municipality.



654 **SECTION 12.** This act shall take effect and be in force from
655 and after July 1, 2016, and shall stand repealed on June 30, 2016.

