

INDUSTRIAL EXEMPTIONS “OVERVIEW”

In the regular session of the 1989, Mississippi Legislature amended Sections 27-31-101, 27-31-105, 27-31-107, 27-31-109, also created Section 27-31-104; which enhanced the passage of the 1989 Economic Development Reform Act.

During the 1995 Legislative Regular Session, Sections 27-31- 101, and 27-31-105 were once again amended.

As stated in the current Mississippi statutes, at the discretion of the local governing authorities, exemptions from ad valorem taxation of certain properties may be granted to industries, except for the following:

- 1) School district taxes
- 2) Finished goods
- 3) Rolling stock

Effective April 5, 1995, Section 27-31-101 was amended to provide that the ad valorem tax exemption granted by a local government to a new enterprise shall continue even though there is a change from a leasehold to a fee title in an enterprise financed with bonds issued for the development of lands for industrial purposes or bonds issued under the Mississippi Small Business Financing Act.

In addition, this section was amended to clarify the manner in which local governments may grant ad valorem tax exemptions to new enterprises for periods of less than ten (10) years. Any request for an exemption must be made in writing by June 1st of the year following the year of the date of completion of a new enterprise.

Existing industries seeking ad valorem tax exemptions for any improvements or expansions made to their facilities must apply for an exemption on any additions, expansions or replacements which have been completed during any calendar year before June 1st of the year immediately following the year for which such exemptions are requested.

Separate applications must be filed with the city and county for any expansion, replacement, addition or equipment purchase that may qualify for ad valorem exemptions. The maximum exemption period that can be sought is ten years and new applications for the above categories may be granted regardless of whether or not a company is currently exempted on a previous project.

Typical properties exempted usually include real properties (land, building, and land improvements) machinery/equipment, furniture/fixtures, raw materials and work in process. School district taxes, finished goods and rolling stock cannot be exempted and do not qualify for the ad valorem tax exemptions.

The time of such exemption may be granted for a period not to exceed a total of ten (10) years.

The enumerations of new enterprises, which may be granted an exemption from ad valorem taxes, are:

- Warehouse and / or distribution centers
- Manufacturing, processors, and refiners
- Research facilities
- Corporate Regional and National Headquarters meeting minimum criteria established by the Department of Economic and Community Development.
- Movie Industry Studios meeting minimum criteria established by the Department and Community Development.
- Air transportation and maintenance facilities meeting minimum criteria established by the Department of Economic and Community Development.
- Recreational facilities that impact tourism meeting minimum criteria established by the Department of Economic and Community Development.
- Telecommunications enterprises meeting minimum criteria established by the Department of Economic and Community Development.
- House Bill No. 939 amended Section 27-31-105 of the Mississippi Code of 1972 to revise the procedure by which applications are made to local governments for ad valorem tax exemptions for additions, expansions, or equipment replacements made with reverence to a new enterprise and; to provide that such exemption may be granted in five-year periods, not to exceed a total of ten years; and for related purposes.

The above amendment shall take effect and be in force from and after July 1, 1995.

The properties, which are available for exemptions from ad valorem taxation, are:

1. Real properties - land and improvements
2. Personal Properties:
 - a) Machinery /equipment
 - b) Furniture/fixtures
 - c) Raw materials
 - d) Work in process

For new enterprises exceeding a total true value of one hundred million dollars (\$100,000,000.00), local authorities may grant a fee in lieu of taxes, which will be negotiated and given final approval by the Mississippi Department of Economic and Community Development.

The minimum fee allowable cannot be less than one-third (1/3) of the property tax levy, including ad valorem taxes for school district purposes.

The general steps in processing an application for ad valorem tax exemption are:

1. Proper/timely filing of the required documents to the local county and municipal authorities.
2. Original and three copies of the application, along with the local governing authorities' certified transcript of a resolution of approval shall be forwarded to the State Tax Commission; within thirty (30) days from the date of the Certified Transcript of the Resolution.
3. Upon investigation and determination of the property's eligibility by the State Tax Commission for exemption, then it shall certify to the governing authorities by issuing its certificate of approval.
4. Upon certification by the State Tax Commission, the local governing authorities, at their discretion, may grant the exemption.

5. The local governing authorities, after receipt of certificate by the State Tax Commission, may enter a final board order declaring such property be exempted, the date when the exemption begins and expires. Upon proper recording, one copy of the final board order shall be filed with the State Auditor's Office and one copy with the State Tax Commission.

For further information and application formats, contact/write the following Office:

Bob Dampeer
Office of Property Tax
Telephone Number (601) 923-7635, or

Mrs. Rita Fisher
Telephone Number (601) 923-7634

State Tax Commission
Office of Property Tax
P.O. Box 960
Jackson, MS 39215

FAX Number (601) 923-7637

DEFINITIONS

- **Manufacturing Business**

A business where tangible personal property is produced or assembled

- **Processing Business**

An establishment engaged in services such as manufacturing-related, computer-related, communications-related, or transportation-related services, but the term “processing facility” does not include an establishment where retail merchandise or retail services are sold directly to retail customers.

- **Distribution Business**

A business where shipments of tangible personal property is processed for delivery to customers, but “distribution” does not include a business which operates as a location where retail sales of tangible personal property are made directly to retail customers.

- **Research and Development Business**

A business engaged in laboratory, scientific, or experimental testing and development related to new products, new products, new uses for existing products, or improving existing products, but research and development does not include any business engaged in efficiency surveys, management studies, consumer surveys, economic surveys, advertising, promotion, or research in connection with literary, historical or similar projects.

- **Warehousing Business**

A business primarily engaged in the storage of tangible personal property. The term “Warehousing business” does not include any establishment, which operates as a location where retail sales of tangible personal property are made to retail customers.

- **Telecommunications Enterprises**

Entities engaged in the creation, display, management, storage, processing transmission or distribution for compensation of images, text, voice, video or data by wire or by wireless means, or entities engaged in the construction, design, development, manufacture, maintenance or distribution for compensation of devices, products, software or structures used in the above activities.

Companies organized to do business as commercial broadcast radio stations, television stations or news organizations primarily serving in-state markets shall not be included within the definition of the term “Telecommunications Enterprises.”

PROCEDURES FOR FILING INDUSTRIAL EXEMPTION APPLICATIONS

1. The original application plus three copies
2. *A certified transcript of the initial resolution of approval plus two copies
3. A copy of the position statement of Tax Assessor
4. Itemization of personal property:
 - a. Machinery and equipment
 - b. Furniture/fixtures
 - c. Raw materials
 - d. Work in process
5. Description of land/building
6. True value to be noted in board resolution
7. Use of correct statute as to "new" enterprise or "expanded" replacement of equipment, etc. of all applications and board resolutions.
8. Upon approval of State Tax Commission, final board resolution must be filed with State Tax Commission and Department of Audit.

*Certified transcript of the resolution of approval shall be forwarded to the State Tax Commission within (30) thirty days from the date of the certified transcript of the resolution.

Property Tax Statutes

§ 27-31-7. Certain manufactured products held for sale or shipment to other than final consumer.

(1) The board of supervisors of any county or the governing authority of any municipality is hereby authorized and empowered in its discretion to exempt from ad valorem taxation excepting ad valorem taxes for school district purposes all or any portion of the value of the products including finished goods owned by or remaining in the hands of any manufacturer or its subsidiary or any distributor or wholesale merchant located within such county or municipality. The time of such exemption shall be for a period not to exceed a total of ten (10) years which shall commence from the date such exemption is granted. Any request for an exemption must be made in writing to the board of supervisors or the municipal governing authority.

(2) The exemption granted herein shall be in addition to all other exemptions heretofore granted by the laws of the State of Mississippi.

(3) It is the sense of the Legislature that time limits imposed in Section 182 Mississippi Constitution of 1890 on the terms of certain ad valorem tax exemptions which may be granted to manufacturers and other new enterprises of public utility apply only to the physical plant of such manufacturers and enterprises and to any personal property necessary for the operation thereof; and any exemption for the finished products of such manufacturers and enterprises granted by the governing authorities of any county or municipality under this section after December 31 1960 but prior to July 1 1982 shall not be affected by the time limits established in subsequent amendments to this section after July 1 1982 but shall remain in full force and effect subject to the original terms granted by such governing authorities.

SOURCES: Codes 1942 § 9697.7; Laws 1960 ch. 466 §§ 1-4; 1966 ch. 640 § 1; 1982 ch. 433; 1990 ch. 502 § 2; 1992 ch. 378 § 1; 1992 ch. 518 § 1; 1993 ch. 621 § 1 eff from and after July 1 1993.

§ 27-31-101. Enumeration of new enterprises which may be exempted.

County boards of supervisors and municipal authorities are hereby authorized and empowered, in their discretion, to grant exemptions from ad valorem taxation, except state ad valorem taxation. Provided, however, said governing authorities shall not exempt ad valorem taxes for school district purposes on tangible property used in, or necessary to, the operation of the manufacturers and other new enterprises hereinafter enumerated by classes, except to the extent authorized in Sections 27-31-104 and 27-31-105(2), nor shall they exempt from ad valorem taxes the products thereof or automobiles and trucks belonging to the said manufacturers or other new enterprises operating on and over the highways of the State of Mississippi. The time of such exemption shall be for a period not to exceed a total of ten (10) years which shall begin on the date of completion of the new enterprise for which the exemption is granted; however, boards of supervisors and municipal authorities, in lieu of granting the exemption for one (1) period of ten (10) years, may grant the exemption in a period of less than ten (10) years. When the initial exemption period granted is less than ten (10) years, the boards of supervisors and municipal authorities may grant a subsequent consecutive period or periods to follow the initial period of exemption, provided that the total of all periods of exemption shall not exceed ten (10) years. The date of completion of the new enterprise, from which the initial period of exemption shall begin, shall be the date on which operations of the new enterprise begin. Any request for an exemption must be made in writing by June 1 of the year immediately following the year in which the date of completion of a new

enterprise occurs.

Any board of supervisors and/or municipal governing authorities which has entered into an agreement with an enterprise to grant an exemption for a period of not more than ten (10) years, as this section authorized prior to amendment by Chapter 524, Laws of 1989 (Senate Bill 2925, 1989 Regular Session), may grant the exemption agreed upon provided that proof is presented to the State Tax Commission that the agreement was negotiated and, with respect to which, official action has been taken by the board of supervisors and/or municipal governing authorities, prior to July 1, 1989.

Any exemption from ad valorem taxes heretofore granted to existing enterprises shall continue in full force and effect but only as to tangible property heretofore included in the exemption but not as to tangible property that may be later added as an addition or improvement to the exempt tangible property.

Any board of supervisors or municipal authority which has entered into an agreement prior to July 1, 1989, with a specific and new enterprise authorized to be exempt under the provisions of Section 27-31-101, may grant an exemption under this section provided said agreement is in writing and the date of the agreement is certified by the chancery clerk or municipal clerk of the granting authority. It is the intent of the Legislature to permit an exemption allowed under this section in those instances where the granting authority has in good faith negotiated with the new enterprise as to said exemption, and the agreement is reduced to writing and the date certified as provided in this paragraph, but to prohibit the granting of an exemption after June 30, 1989, under Section 27-31-101 as to ad valorem taxes for school district purposes, except to the extent authorized in Sections 27-31-104 and 27-31-105(2).

Any board of supervisors or municipal authority which has granted an exemption for a period of less than ten (10) years may grant subsequent periods of exemption to run consecutively with the initial exemption period, or a subsequently granted exemption period, but in no case shall the total of the exemption periods granted for a new enterprise exceed ten (10) years. Any consecutive period of exemption shall be granted by entry of an order by the board or the authority granting the consecutive exemption on its minutes, reflecting the granting of the consecutive exemption period and the dates upon which such consecutive exemption period begins and expires. The entry of this order granting the consecutive period of exemption shall be made before the expiration of the exemption period immediately preceding the consecutive exemption period being granted.

The new enterprises which may be exempt are enumerated as and limited to the following, as determined by the State Tax Commission:

Warehouse and/or distribution centers;

Manufacturing, processors and refineries;

Research facilities;

Corporate regional and national headquarters meeting minimum criteria established by the Department of Economic and Community Development;

Movie industry studios meeting minimum criteria established by the Department of Economic and Community Development;

Air transportation and maintenance facilities meeting minimum criteria established by the Department of Economic and Community Development;

Recreational facilities that impact tourism meeting minimum criteria established by the Department of Economic and Community Development; and

Telecommunications enterprises meeting minimum criteria established by the Department of Economic and Community Development. The term "telecommunications enterprises" means entities engaged in the creation, display, management, storage, processing, transmission or distribution for compensation of images, text, voice, video or data by wire or by wireless means, or entities engaged in the construction, design, development, manufacture, maintenance or distribution for compensation of devices, products, software or structures used in the above activities. Companies organized to do business as commercial broadcast radio stations, television stations or news organizations primarily serving in-state markets shall not be included within the definition of the term "telecommunications enterprises."

Sources: Codes, 1930, § 3109; Laws, 1942, § 9703; Laws, 1922, ch. 139; Laws, 1928, chs. 10, 100; Laws, 1928, Ex. ch. 57; Laws, 1930, ch. 67; Laws, 1932, ch. 293; Laws, 1936, ch. 159; Laws, 1936, 2nd Ex. ch. 17; Laws, 1938, Ex. ch. 76; Laws, 1942, ch. 132; Laws, 1944, ch. 135; Laws, 1946, chs. 208, 448; Laws, 1948, ch. 439; Laws, 1950, ch. 528; Laws, 1952, chs. 420 (§ 1), 422; Laws, 1954, chs. 363, 382; Laws, 1956, chs. 202 (§§ 1, 2), 203 (§§ 1, 2); Laws, 1958, chs. 566 (§ 1), 567 (§§ 1, 2); Laws, 1960, ch. 467; Laws, 1961, 2nd Ex. ch. 7, § 1; Laws, 1962, ch. 269, § 1; Laws, 1963, 1st Ex Sess. ch. 35, § 1; Laws, 1964, ch. 520, § 1; Laws, 1968, ch. 583, § 1; Laws, 1970, ch. 545, § 1; Laws, 1972, ch. 495, § 1; Laws, 1978, ch. 514, § 4; Laws, 1981, ch. 523, § 1; Laws, 1986, ch. 407, § 1; Laws, 1987, ch. 411, § 1; Laws, 1989, ch. 524, § 15; Laws, 1990, ch. 502, § 3; Laws, 1990 Ex Sess, ch. 71 § 1; Laws, 1992, ch. 518, § 2; Laws, 1994, ch. 571, § 1; Laws, 1994, ch. 558, § 18; Laws, 1995, ch. 355, § 1; Laws, 1995, ch. 527, § 1; Laws, 2000, ch. 591, § 1, eff from and after July 1, 2000

§ 27-31-104. Grant of fee in lieu of taxes for certain projects.

County boards of supervisors and municipal authorities are hereby authorized and empowered to grant a fee in lieu of taxes including taxes levied for school purposes for projects totaling over One Hundred Million Dollars (\$100 000 000.00). In addition to those new enterprises enumerated in Section 27-31-101 Mississippi Code of 1972 the term "projects as used in this section, shall include a private company (as such term is defined in Section 57-61-5, Mississippi Code of 1972) having a minimum capital investment of One Hundred Million Dollars (\$100,000,000.00).

The fee in lieu shall be negotiated by and given final approval by the Department of Economic Development.

The minimum sum allowable as a fee in lieu shall not be less than one-third ($\frac{1}{3}$) of the ad valorem levy including ad valorem taxes for school district purposes and the sum allowed shall be apportioned between the county or municipality as appropriate and the school districts in such amounts as may be determined by the county board of supervisors or municipal governing authority as the case may be however from the sum allowed the apportionment to school districts shall not be less than the school districts' pro rata share based upon the proportion that the millage imposed for the school districts by the appropriate levying authority bears to the millage imposed by such levying authority for all other county or municipal purposes. The agreement shall be for a term of not more than ten (10) years.

SOURCES: Laws 1989 ch. 524 § 16; 1990 Ex Sess ch. 71 § 2 eff from and after passage (approved June 30 1990).

§ 27-31-105. Additions to or expansions of facilities or properties or replacement of equipment used in connection with certain enterprises.

(1) Any person, firm or corporation who owns or operates a manufacturing or other enterprise of public utility as enumerated in Section 27-31-101 and who makes additions to or expansions of the facilities or properties or replaces equipment used in connection with or necessary to the operation of such enterprise may be granted an exemption from ad valorem taxation, except state ad valorem taxation, upon each such addition to or expansion of the facility or property or replacement of equipment, within the discretion of the county board of supervisors and municipal authorities. Provided, however, said governing authorities shall not exempt ad valorem taxes for school district purposes on such additions or expansions of the facility or property, or replacement of equipment, except that this provision shall not apply to or affect any exemptions from ad valorem taxes for school district purposes which were granted under this section prior to the effective date of this chapter and such exemptions heretofore granted shall continue in force for the period of time for which they were granted, unless the grantor and grantee of the exemption agree otherwise. In order to obtain such exemptions upon additions to or expansions of the facilities or properties, or replacement of equipment, such person, firm or corporation shall follow the same procedure prescribed for obtaining an exemption on a new enterprise, except as otherwise provided herein. For any additions, expansions or replacements with reference to any particular new enterprise, which additions, expansions or replacements have been completed during any calendar year, only one (1) request must be made for the exemptions sought for such additions, expansions or replacements. The time of such exemption shall commence from the date of completion of such additions, expansions or replacements, and shall extend for a period not to exceed ten (10) years thereafter; however, boards of supervisors and municipal authorities, in lieu of granting the exemption for one (1) period of ten (10) years, may grant the exemption in consecutive periods of five (5) years each, but the total of such consecutive periods shall not exceed ten (10) years. Any request for an exemption must be made in writing by June 1 of the year immediately following the year in which such additions, expansions or replacements are completed.

(2) For expansions of facilities or properties or replacement of equipment, county boards of supervisors and municipal authorities may grant a fee in lieu of taxes in the same manner, to the same extent, and with the same qualifying threshold as provided for projects under Section 27-31-104, Mississippi Code of 1972.

Sources: Codes, 1942, § 9706.5; Laws, 1952, ch. 420, § 5; Laws, 1960, ch. 468; Laws, 1961, 2nd Ex. ch. 5, § 1; Laws, 1986, ch. 407, § 2; Laws, 1989, ch. 524, § 17; Laws, 1992, ch. 518, § 3; Laws, 1994, ch. 571, § 2; Laws, 1995, ch. 544, § 1; Laws, 2000, ch. 591, § 2, eff from and after July 1, 2000.

§ 27-31-107. Applications for exemptions .

Any person firm or corporation claiming exemptions from municipal or county ad valorem taxation as provided in Sections 27-31-101 through 27-31-117 shall first file an application therefor in triplicate with the governing authorities of the municipality or the county board of supervisors as the case may be. Each copy shall be subscribed and sworn to by the individual making the application or if a firm or corporation by an officer or person duly authorized to do so. In the application full information shall be given as to the property proposed to be exempted the kind of articles to be manufactured and the date from which exemption is claimed. Each application shall also show an itemized listing of the true value of all such property sought to be exempted. The governing authorities of the municipality or county board of supervisors may by resolution spread on its minutes approve such application for all or any part of the property sought to be exempted and for all or any part of the authorized period of exemption. The resolution of approval shall also have an itemized listing of the true value of all property to be exempted. The original of the application plus three (3) copies and a certified transcript of a resolution of approval shall be forwarded to the State Tax Commission within thirty (30) days from the date of the certified transcript of the resolution and the commission shall proceed to investigate the matter and determine whether the property is eligible and should be exempted as heretofore defined. If the Tax Commission determines after investigation as to financial ability business experience and technical qualifications of the person firm or corporation claiming the exemption that the property sought to be exempted is eligible and the creation and establishment of such industry will promote the industrialization of this state and will supply employment to citizens of this state and will otherwise promote the development of the community in which same is located then it shall so certify to the governing authorities of the municipality or the county board of supervisors as the case may be by issuing its certificate of approval. In the case of an enterprise described in Section 27-31-101 with respect to which any board of supervisors or municipal governing authority has agreed to grant an exemption for a period of not more than ten (10) years as authorized by Section 27-31-101 prior to its amendment by Chapter 524 Laws 1989 (Senate Bill 2925 1989 Regular Session) the Tax Commission shall concur in any findings or determinations relating to eligibility for ad valorem tax exemptions reached by the Department of Economic Development prior to July 1 1989. If such property sought to be exempted is not eligible for such exemption as above set forth the Tax Commission shall so certify. If the Tax Commission certifies that the applicant is eligible for an exemption it shall be discretionary with the board of supervisors or municipal authorities as to whether they grant the exemption but in no event shall an exemption be granted if the Tax Commission certifies that the applicant is not eligible for an exemption. The original copy of the application for exemption shall be returned to the governing authorities of the municipality or the county board of supervisors as the case may be.

SOURCES: Codes 1930 § 3111; 1942 § 9705; Laws 1930 ch. 67; 1952 ch. 420 § 3; 1989 ch. 524 § 18; 1991 ch. 385 § 1; 1993 ch. 513 § 1; 1994 ch. 571 § 3 eff from and after July 1 1994.

§ 27-31-109. Granting of exemptions .

At its next meeting after receipt of certification from the State Tax Commission the governing authorities of the municipality or the county board of supervisors as the case may be may enter an order on its minutes declaring that such property is exempted and the date when such exemption begins and expires and the chancery clerk or city clerk shall record such application together with the order approving same in a book kept in his office for that purpose and shall file one (1) copy with the State Auditor of Public Accounts and one (1) copy with the State Tax Commission.

SOURCES: Codes 1930 § 3110; 1942 § 9704; Laws 1930 ch. 67; 1936 2nd Ex. ch. 19; 1952 ch. 420 § 2; 1989 ch. 524 § 19; 1991 ch. 385 § 2 eff from and after passage (approved March 15 1991).

§ 27-31-111. Cessation of exempted operations .

If at any time during an authorized period of ad valorem tax exemption for a given plant there is a cessation of manufacturing operations as herein defined for a continuous period of twelve months or more all unexpired tax exemptions covered by sections 27-31-101 to 27-31-117 for that particular plant shall become void and if manufacturing operations are begun at a later date a new application may be filed subject to the same approval and the same certification for the unexpired balance of the period covered by the original exemption.

SOURCES: Codes 1930 § 3112; 1942 § 9706; Laws 1930 ch. 67; 1952 ch. 420 § 4.

§ 27-31-113. Cancellation of exemption obtained by fraud etc.

If at any time after exemption from ad valorem taxation hereunder has been obtained it comes to the attention of the governing authorities of the municipality the county board of supervisors the Mississippi Agricultural and Industrial Board the state tax commission or the attorney general that such exemption was obtained by fraud misstatement or misrepresentation or that the industry does not meet the definitions of a manufacturing industry as set forth in section 27-31-101 it shall be the duty of the governing authorities of the municipality or the county board of supervisors to cancel such exemption.

SOURCES: Codes 1930 § 3113; 1942 § 9707; Laws 1930 ch. 67; 1952 ch. 420 § 6.

§ 27-31-115. Grant of exemptions by municipalities.

All municipalities may grant like exemptions from municipal ad valorem taxation for a period not exceeding ten (10) years to all manufacturers and other new enterprises mentioned in Section 27-31-101 hereof and gasworks waterworks cooperative electrification associations excepting railroads and additions or expansions or replacements mentioned in Section 27-31-105 hereof; however municipal authorities in lieu of granting the exemption for one (1) period of ten (10) years may grant the exemption in consecutive periods of less than ten (10) years but the total of such consecutive periods shall not exceed ten (10) years.

No new exemption from ad valorem taxes levied for school district purposes shall be granted pursuant to this section from and after July 1 1990.

SOURCES: Codes 1930 § 3114; 1942 § 9708; Laws 1930 ch. 67; 1952 ch. 420 § 7; 1990 ch. 502 § 14; 1994 ch. 571 § 4 eff from and after July 1 1994.

SAMPLE APPLICATION FOR EXEMPTION FORM

AD VALOREM TAXES

APPLICATION OF _____
FOR EXEMPTION FROM AD VALOREM TAXES FOR
A PERIOD OF ____ YEARS AS AUTHORIZED
BY SECTION 27-31-101, et seq., OF THE
MISSISSIPPI CODE OF 1972, AS AMENDED.

TO THE (governing authority of city or county), Mississippi:

1. (name of industry) files this its application in triplicate for exemption from ad valorem taxation, and respectfully represents unto this Honorable Board (governing authority) as follows:
2. Applicant, _____ is a _____ corporation and domiciled in the City of _____, _____ County, Mississippi.
3. Applicant is now operating as a _____ manufacturing type of industry within the City of _____, _____ County, Mississippi, which factory is a bona fide (__ new __ expanded) enterprise of public utility within the meaning of Section 27-31-101 et seq., and related Sections of the Mississippi Code of 1972, as amended, and is eligible for the exemption granted by the above mentioned section by specific enumeration, namely (quote the specific enumeration of the statute under which the company claims the exemption).
4. That said enterprise was completed on the __ day of __,20__, within the meaning of the applicable statutes of the State of Mississippi, and therefore, the exemption hereby claimed should commence on said date.
5. That said (__ new __ expansion) enterprise will provided approximately ____ new jobs with an estimated annual payroll of \$____.
6. That said exemption of the tangible property described in "Exhibit A" should be granted for a period of ____ years from said date of completion.
7. That the true value of all property to be exempted is _____ Dollars, as shown in an itemized list attached hereto as "Exhibit A" and made a part hereof.

PRAYER

WHEREFORE, Applicant prays that this Board (governing authority) enter a finding that applicant's factory is in fact a (_ new _ expanded) enterprise of public utility, and that the same was completed on the __ day of _____, 20__, within the meaning of the applicable laws of Mississippi; and

That applicant be granted an exemption from ad valorem taxation except School District ad valorem taxation, as provided by law, for a period of _ years beginning on the __ day of _____, 20__, upon all of the tangible property described in "Exhibit A" attached hereto and made a part hereof, used in, or necessary to the operation of applicant's factory in the City of _____, _____ County, Mississippi; and

That applicant be granted an exemption from ad valorem taxation except School District ad valorem taxation, as provided by law, for a period of ___ years beginning on the _____ day of _____, 20____,

Upon all of the tangible property described in "Exhibit A" attached hereto and made a part hereof, used in, or necessary to the operation of applicant's factory in the City of _____, _____ County , Mississippi; and

hat this Board (governing authority) approve this application by an order resolution spread upon its minutes, declaring that such property is exempt from all ad valorem taxation, except School District ad valorem taxation, for a period of __ years and forward the original and three certified copies of this application and a certified transcript of such approval to the Mississippi State Tax Commission and upon approval of such application by the said Mississippi State Tax Commission and certification of its approval, the Board (governing authority) will enter a final order on its minutes granting the exemption herein prayed.

Respectfully submitted, this the __ day of _____, 20__.

Applicant

By: _____

Title

ATTEST:

Revised 1/27/93

SAMPLE RESOLUTION (of governing authority)

GRANTING EXEMPTION FROM

AD VALOREM TAXES

The Board next took up for consideration the matter of granting tax exemption from ad valorem taxes for _____, and the following Resolution, having first been reduced to writing, was introduced:

RESOLUTION OF (THE MAYOR AND BOARD OF ALDERMEN) OF THE CITY OF _____ MISSISSIPPI, (OR) THE BOARD OF SUPERVISORS OF THE COUNTY OF _____ MISSISSIPPI, GRANTING TAX EXEMPTION FROM AD VALOREM TAXES FOR A PERIOD OF ___ YEARS, TO _____ AS AUTHORIZED BY SECTION 27-31-101 et seq., OF THE MISSISSIPPI CODE OF 1972, AS AMENDED.

WHEREAS, _____ filed in triplicate with this Board its Application for exemption from ad valorem taxation; and

WHEREAS, _____ has produced written verification and documentation to this Board as to the authenticity and correctness of its Application in regard to the true value of the prayed for exemption, the completion date of said enterprise; and

WHEREAS, this Board finds as a fact that the property described in the aforesaid Application constitutes an industrial enterprise of public utility which was completed on the ___ day of __, 20__, and that said Company is entitled to the exemption sought for a period of ___ () years, beginning on _____, 20__, subject to approval and certification by the Mississippi State Tax Commission.

NOW, THEREFORE, BE IT RESOLVED BY (the Mayor and Board of Alderman) of the City of _____, Mississippi, or (the Board of Supervisors) of the County of _____, Mississippi, as follows:

1. That the Application for ad valorem tax exemption by (name of industry) for a period of ___ () years, beginning _____, 20__, on the property described in the Application filed by said Company for tax exemption, be and the same is hereby approved, subject to approval and certification by the Mississippi State Tax Commission.

2. That (name of industry)is hereby granted tax exemption on ad valorem taxes, except School District ad valorem taxation, for a period of ___ () years, beginning _____, 20__.

3. That the Clerk of this Board be, and he is hereby directed to spread a copy of this Order on the minutes of this Board; and that said Clerk shall forward the original and three certified copies of the Application and a certified copy of the transcript of this Order approving said Application to the Mississippi State Tax Commission for its approval and certification; and said Clerk shall also forward one certified copy to the Tax Assessor of _____ County (City) and obtain the Certificate of said Tax Assessor stating that both the real and personal property as itemized in the Application has been placed on the appropriate tax roll as "Non-Taxable", except for School District ad valorem taxes, for the duration of the exemption period only.

After a full discussion of this matter, Mr. _____ moved that the foregoing Resolution be adopted and said motion was seconded by Mr. _____, and upon the question being put to a vote, the Resolution was unanimously adopted by the affirmative vote of the members of the (Board of Aldermen or Board of Supervisors) present.

WHEREUPON, the foregoing Resolution was declared passed and adopted at a regular meeting of the (Mayor and Board of Aldermen)of the City of _____, Mississippi; or (Board of Supervisors) of the County of _____, Mississippi, on this, _____ day of _____, 20__.

Certified a true copy

BY: _____

(TITLE)

(S E A L)

SAMPLE FINAL RESOLUTION
GRANTING EXEMPTION FROM
AD VALOREM TAXES

The Board next took up for consideration the matter of granting tax exemption for ad valorem taxes for _____ and the following Resolution, being first reduced to writing, was introduced.

RESOLUTION OF THE _____ COUNTY BOARD OF SUPERVISORS, _____ COUNTY, MISSISSIPPI, GRANTING FINAL APPROVAL OF AD VALOREM TAX EXEMPTION TO _____ (industry,) _____, MISSISSIPPI.

WHEREAS, heretofore, _____ (industry) authorized to do business and doing business in _____ City, _____ County, Mississippi, and authorized to do business and doing business in the _____ City of _____ County, Mississippi, filed with the _____ County Board of Supervisors, _____ County, Mississippi, an application for ad valorem taxes, except _____ School District ad valorem taxes for a period of _____ () years as authorized by Section 27-31-101, of the Mississippi Code of 1972, as amended, which said application was approved by the _____ County Board of Supervisors, _____ County, Mississippi, subject to the approval of the State Tax Commission of the State of Mississippi; and

WHEREAS, on the _____ day of _____, 20____, the State Tax Commission of the State of Mississippi approved said application; and

WHEREAS, a certified copy of the aforesaid State Tax Commission's approval has been received by the _____ County Board of Supervisors, _____ County, Mississippi and recorded in its minutes.

NOW, THEREFORE, in consideration of the premises, the _____ County Board of Supervisors, does hereby finally said application for ad valorem tax exemption, except _____ Separate School District ad valorem taxes for a period of _____ () years from _____ (date). Total true value approved \$ _____ .

The foregoing Resolution granting ad valorem tax exemption except _____ Separate School District ad valorem taxes to _____ (industry), was made on motion by Supervisor _____, seconded by Supervisor _____, and unanimously adopted on this the _____ day of _____, _____.

President

County Board of Supervisors

ATTEST:

CERTIFICATE OF COUNTY (CITY) TAX ASSESSOR

STATE OF MISSISSIPPI

COUNTY OF _____ OR

CITY OF _____

I, _____, Tax Assessor of the County (City) of _____, do hereby certify that the above and foregoing property was entered on the "School Tax Only" or other appropriate tax roll on the ___ day of _____, 20__ at ___ a.m. or p.m., for a period of ___ () years from and after ___ day of _____, 20__.

This, the ___ day of _____, 20__.

(name), Tax Assessor

(S E A L)

POSITION STATEMENT OF TAX ASSESSOR

TRADE NAME OF APPLICANT: _____

LOCATION: _____ PARCEL # _____

EXEMPTION RELATES TO MISS. CODE OF 1972, SECTION: _____

TYPE OF BUSINESS: _____

FINISHED PRODUCTS ARE: _____

HAS THIS ENTERPRISE ENJOYED AN EXEMPTION PREVIOUSLY? (YES-NO) _____

UNDER ANY OTHER TRADE NAME? (YES-NO) _____

ANY OTHER LOCATION? (YES-NO) _____

UNDER ANY OTHER OWNERSHIP? _____

NUMBER OF NEW JOBS? _____ ESTIMATED ANNUAL PAYROLL _____

EXEMPTION TO BE ON:

LAND VALUE AS OF COMPLETION DATE: \$ _____

IMPROVEMENT VALUE AS OF COMPLETION DATE: \$ _____

PERSONAL PROPERTY:

FURN. & FIX. VALUE \$ _____

MACH. & EQUIP. VALUE \$ _____

RAW MATERIALS VALUE \$ _____

WORK IN PROCESS VALUE \$ _____

PERSONAL PROPERTY TOTAL AS OF COMPLETION DATE: \$ _____

EXEMPTION TOTAL VALUE AS OF COMPLETION DATE: \$ _____

LAND AND IMPROVEMENTS:

OWNER OF LAND: _____

OWNER OF IMPROVEMENTS: _____

DATE OF IMPROVEMENTS: COMPLETED _____ EXPANDED _____

ANY PRIOR EXEMPTION: _____

YEARS OF EXEMPTION APPLIED FOR: _____ THRU _____

APPLICANT'S REPRESENTATIVE: _____

ADDRESS: _____ PHONE: _____

INVESTIGATED BY: _____

COMMENTS: _____

DATE: _____ TAX ASSESSOR: _____