

STATE OF MISSISSIPPI
Office of the Governor



April 5, 2016

TO THE MISSISSIPPI STATE SENATE

✓ GOVERNOR'S VETO MESSAGE FOR SENATE BILL 2752

I am returning Senate Bill Number 2752: AN ACT TO REENACT SECTIONS 27-7-22.7 AND 27-7-22.9, MISSISSIPPI CODE OF 1972, WHICH PROVIDE AN INCOME TAX CREDIT FOR INCOME TAXPAYERS THAT USE PORT FACILITIES AT STATE, COUNTY AND MUNICIPAL PORTS FOR THE EXPORT OF CARGO AND REQUIRE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO REPORT ANNUALLY TO THE LEGISLATURE REGARDING THE IMPACT OF SUCH TAX CREDIT; TO AMEND REENACTED SECTIONS 27-7-22.7 AND 27-7-22.9, MISSISSIPPI CODE OF 1972, TO MAKE CERTAIN TECHNICAL CHANGES; TO AMEND SECTION 4, CHAPTER 492, LAWS OF 1994, AS LAST AMENDED BY SECTION 3, CHAPTER 377, LAWS OF 2012, TO EXTEND THE DATE OF REPEAL ON SECTIONS 27-7-22.7 AND 27-7-22.9; AND FOR RELATED PURPOSES.

Both Senate Bill 2752 and House Bill 1078 extend the repeal date on Sections 27-7-22.7 and 27-7-22.9 which provide an income tax credit for taxpayers who use port facilities at state, county and municipal ports for the export of cargo.

The bills differ in the following respects:

1. Senate Bill 2752 (final passage on March 23) extends the repeal date of the above code sections from December 31, 2016, to December 31, 2020, and the bill is effective on passage.
2. House Bill 1078 (final passage on March 24) extends the repeal date of the above code sections from December 31, 2016, to December 31, 2019, and the bill is effective on July 1, 2016.
3. House Bill 1078 goes further by reenacting and amending Sections 27-7-22.25 and 27-7-22.26, which provide an income tax credit for certain taxpayers using airport facilities at public airports for certain charges on the export or import of cargo. The repeal date of these two code

sections is extended from July 1, 2016, to July 1, 2019. Additionally, eligibility for the tax credit is extended from July 1, 2016, to July 1, 2019.

I am vetoing Senate Bill 2752 and signing House Bill 1078 for the following reasons:

1. The two identical code sections in both bills differ only in respect to repealer dates, which could cause confusion since House Bill 1078 has a later effective date than Senate Bill 2752. This means the Senate Bill, having a repealer of December 31, 2020, would be effective upon passage until superseded by the House Bill having a repealer of December 31, 2019, effective on July 1, 2016.

2. House Bill 1078 is more comprehensive than Senate Bill 2752 as it contains additional code sections addressing matters not in Senate Bill 2752.

Therefore, there is no need for Senate Bill 2752.

Respectfully submitted,



PHIL BRYANT
GOVERNOR

April 5, 2016 11:49 am