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## Mississippi

### ¶801 Rapid Reference

<b>Name Of Tax:</b>	Property Taxes or Ad Valorem Taxes.
<b>Imposed By:</b>	Title 1, Chapter 3; Title 21, Chapter 33; Title 27, Chapters 3 and 29 through 53; Title 37, Chapter 57; and Title 81, Chapter 3 of Mississippi Code 1972, as amended.
<b>Reports:</b>	Taxpayers having personal property located in the state of Mississippi must file a property tax return by April 1 with each county where property is located on January 1 each year or is situated in the state by March 1, except for heavy equipment. There is no statewide ad valorem tax levy, but the State Tax Commission is required to assess certain public utility property (i.e., railroads, telephone companies, pipeline companies, electric companies, etc.). Real property is assessed as of January 1 annually, but there is no requirement to file a tax return reporting real property.
<b>Payments:</b>	The taxpayer must pay property taxes on or before February 1 of the year following the assessment year. However, subject to interest (calculated as simple interest) at 1% per month or fraction thereof after February 1, the taxpayer may elect to pay in installments with one-half being due on February 1 (without interest), one-quarter due by the following May 1 and one-quarter due the following July 1. No interest will be assessed when February 1 falls on a Saturday, Sunday, or legal holiday, if the installment payment is received by the tax collector on the first working day after the weekend or holiday. No interest will be assessed if the installment payment is legally mailed and postmarked on or before January 31 regardless of when the tax collector receives the payment.
<b>Administration:</b>	Although assessments and collection of property taxes are handled by the county assessors and collectors, the State Tax Commission issues property assessment rules and regulations in an administration manual as advice to assessors, boards of supervisors, collectors, etc.
<b>Subject To Tax:</b>	All real property and personal property (both tangible and intangible) located within the state of Mississippi are taxable unless specifically exempted by statute.
<b>Address (state):</b>	Frank McCain, Director Property Tax Bureau Mississippi State Tax Commission 1577 Springridge Road Raymond, MS 39154-9602
<b>Telephone:</b>	(601) 923-7636 Central Fax Number: (601) 923-7637
<b>Web Site:</b>	<a href="http://www.mstc.state.ms.us/">http://www.mstc.state.ms.us/</a>
<b>Address (local):</b>	See Property Tax Assessors Directory in this section.
<b>Record Retention:</b>	Taxpayers should retain the records to substantiate that all property within a taxing jurisdiction was reported properly and make such records available for review by the assessor for a period of seven (7) years from the date the liability first accrued.

- Statute Of Limitations:** No assessment of escaped assessments may be made beyond seven (7) years from the date when the assessor's right to assess first accrued.
- Appeals And Protests:** The taxpayer should request an informal hearing with the assessor upon receipt of an assessment that is considered as excessive. The failure to obtain the relief requested from the assessor gives the taxpayer the right to file an objection, in writing, with the County Board of Supervisors furnishing the clerk with the grounds for the request for hearing so it can be docketed and preserved with the assessment rolls. The appeal should be filed in July and the hearings of the Board of Supervisors commence on the first Monday in August. Should the taxpayer fail to file objections, he will be precluded from questioning the validity of the assessment after it has been approved by the Board of Supervisors.
- Any taxpayer aggrieved at the action of the Board of Supervisors in equalization of assessments may appeal to the circuit court, within ten (10) days after the adjournment of the meeting of the Board of Supervisors, at which the approval of the roll by the State Tax Commission is entered. There is no provision for a hearing by the State Tax Commission regarding their equalization and approval of the assessment roll. Relief must be sought through the County Circuit Court. The decision of the County Circuit Court may be further appealed to the State Supreme Court.
- Refund Procedures:** Illegal Tax – The taxpayer should first seek relief from the assessor and the County Board of Supervisors as explained in Appeals and Protests above. If unsuccessful, a suit for refund should be filed in the County Circuit Court furnishing grounds for the claim.
- Clerical Error – The taxpayer must submit an application for refund to the tax collector of the municipality to which taxes were paid. If the tax collector allows the claim, a warrant for a refund will be issued.
- Tax Incentive Exemption:** County boards of supervisors and municipal authorities have been empowered, under the provisions of Section 27-31-101 of the Ad Valorem Tax law, in their discretion to grant exemptions to new factories and enterprises from ad valorem taxation. Provided, however, that the authorities shall not exempt ad valorem taxes for the support of a junior college district, the property tax levy for the general purpose one-mill county property tax levy, or the tax for school district purposes on tangible property used in, or necessary to, the operation of the manufacturers and other new enterprises, nor shall they exempt from ad valorem taxes the products thereof or automobiles and trucks belonging to the manufacturers or other new enterprises operating on and over the highways of the state of Mississippi.
- The exemption shall be for a period not to exceed ten (10) years commencing from the date of completion of the new enterprise for which the exemption is granted. Effective 6/19/00, the taxpayer must request the exemption by June 1 of the year following the year in which the date of completion of a new enterprise occurs. (Prior to 7/1/94, the time requirement was 180 days.) If the exemption prior to 7/1/90 was granted for a period of less than ten (10) years, the taxpayer could request an extension of the exemption period if it was requested in writing within three (3) months prior to the expiration of the exemption in effect at the time. Total consecutive periods of exemption could not exceed ten (10) years. Property owners must be furnished with a notice 90 days before the expiration of an exemption to enable them to request an extension of the exemption. Failure to notify a property owner results in an automatic extension, with such automatic extensions not to exceed five years.

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Effective 3/24/90, Section 27-31-102 is amended to provide an exemption from property tax for a period not to exceed 10 years on pipeline, dehydrators, compressors, and other appurtenant equipment that are used to facilitate the transportation of carbon dioxide in connection with an enhanced oil recovery project. (School district taxes are not included in this exemption.)

**Depreciation And  
Assigned Lives Of  
Tangible Personal  
Property:**

The State Tax Commission is composed of a chairman and two associate commissioners. The commission advises county and municipal assessors regarding their duties and issues an administration manual, which includes property assessment rules and regulations as a guide to the assessors in the performance of their responsibilities. Included in this manual is a price (cost) list for the assessors to use as a guide in determining the true value of the tangible personal property if a rendition is not received from the taxpayer. The cost information is obtained either from the manufacturer or a company selling such property.

Also in this manual is an Appraisal Assessment Manual of Personal Property to be used by the assessors as a guideline in determining the current fair and reasonable market value. The most recent copy of the depreciation schedule is contained within this manual.

Please note that these guidelines, although established by the state, are not binding on county assessors. Each assessor may still elect to use whatever information he/she deems appropriate to value personal property. It is therefore suggested that specific questions on the valuation of personal property be referred to the assessor of the county in which the property is located if it is determined that the assessor is not using the state guidelines.

Effective 7/1/90, the Tax Commission is required, by regulation, to establish performance standards and acceptable parameters for evaluation of the accuracy of assessments. The Commission must conduct assessment/ratio studies of each county annually to determine if each county's assessment records comply with acceptable performance standards. Any county not in compliance with the acceptable performance standards must adopt and submit a plan for achieving compliance to the Commission and begin implementation of the plan.