Frequently Asked Questions
Regarding
Miss. Code Ann. § 27-101-21

Is this a new law, this is the first I am hearing about the reporting requirement?

Yes, HB 393 passed April 2016 into Miss. Code Ann. § 27-101-21 and SB 2437 amended the section and passed in March 2017. This is the first year of notice by the MS Department of Revenue regarding the law code.

Who is required to file an annual report of tax revenues?

I interpret "taxing entity" as any entity that receives tax revenue, pass through tax revenue, and/or expends tax revenue under authority of the State of MS.

DOR is remitting an e-mail notice to all the taxing entities listed. We have sent notice to key personnel in each County, Municipality, School District, Community College, Fire Districts, and plan to notify all taxing entities as defined in the code. (See Taxing Entity as defined in code section.)

What fiscal year is required to be reported under the amended code section? Is it the DOR fiscal year or tax entity fiscal year?

Fiscal year 2017, based on the tax entity's fiscal year.

When is the report due?

The annual report on tax revenues due date is 90 days from the **taxing entities fiscal year**. For cities and counties the fiscal year 2017 ends September 30, 2017; therefore, the due date is no later than 90 days (December 29th) from tax entity fiscal year end. For school districts the fiscal year 2017 ends June 30, 2017; therefore, the due date is no later than 90 days (September 28th) from the tax entity fiscal year end.

What is the reason for the reporting requirement? Doesn't the Department of Revenue and the State already have this revenue information?

The MS Department of Revenue is not the author of the legislation and does not currently know the reason or intent. With the amendment this year now siting DOR as the administrator of the annual reports; we will do our best to send notice, receive, and post the reports.

PEER did recently ask when the reporting will be available on DOR Website.

(PEER - Joint Committee on Performance Evaluation and Expenditure Review, responsible for conducting performance evaluations, investigations and examinations of expenditures and all records of any agency.)

What is the Department of revenue required to do with the annual reports on tax revenues?

The Department of Revenue is required to make the reports available on the MSDOR public website. The current website location is www.dor.ms.gov. Select STATISTICS then select Annual Reports by Taxing Entities.

What is the risk of computer viruses, corrupted files, etc. shared between DOR and taxing entities?

DOR maintains a high level of security on its computer network and scans incoming files. There is minimum risk of viruses or corrupt files from DOR remitting a .pdf and Excel file to taxing entities and receiving the same completed templates.

Isn't it double reporting if the County reports the receipt of tax levy that it passes through to districts and authorities who also report their portion of the levy received by the County? Do we report as revenue Sales Tax we collect and remit to the Department of Revenue? For example, a sales tax on water usage for those operating a business out of their home and with a single water meter.

The code section does not address excluding revenue that is passed through from one taxing entity to another, but that each taxing entity report its funds received from tax revenue. I recommend reporting all taxing revenue and distinguishing pass through with the recipient's name and amount. Taxing entities should not report sales tax collected and remitted to DOR as this is sales tax collections not state sales tax diversions.

Is there a chart that list each type of revenue including a definition and examples? When completing the template provided I find I am not sure which line to report some revenues types.

I am not aware of a chart(s) of accounts that exist by each category of taxing entity. My recommendation is to complete the report of revenues using revenue types in which you are familiar. I would also recommend to report revenue types at the lowest category type.

What is the future of the reporting requirement from DOR?

Our goal is to make the reports available on the website and to make it as useable as possible. In this year we want to learn who the stakeholders are, define what is being reported, and determine the best way to receive the data. One idea for discussion is to create a fill-in-template on a web application. In this format the data can be captured for more in depth analysis.