

§ 57-113-1. Definitions.

As used in this article:

(a) "Business enterprise" means:

(i) Any enterprise owning or operating a facility for the manufacture or assembly of systems or components used in the generation of **clean energy** that locates or expands in this state which will have a minimum capital investment in this state of Fifty Million Dollars (\$50,000,000.00) and will create a minimum of two hundred fifty (**250**) new, full-time **jobs**.

(ii) Any enterprise owning or operating a facility that manufactures or assembles products for the aerospace industry or provides research and development or training services in the aerospace industry that locates or expands in this state, which will have a minimum capital investment in this state of Thirty Million Dollars (\$30,000,000.00) and will create a minimum of one hundred (100) new, full-time **jobs**.

(b) "Aerospace industry" means the industry that researches, designs, manufactures, repairs, operates and/or maintains vehicles moving through the air and space.

(c) "Biomass" means and includes any of the following:

(i) Forest-related mill residues, pulping by-product and other by-products of wood processing, thinnings, slash, limbs, bark, brush and other cellulosic plant material or nonmerchantable forest-related products;

(ii) Solid wood waste materials, including dunnage, manufacturing and construction wood wastes, demolition and storm debris and landscape or right-of-way trimmings;

(iii) Agriculture wastes, including orchard tree crops, vineyard, grain, legumes, sugar and other crop by-products or residues and livestock waste nutrients;

(iv) All plant and grass material that is grown exclusively as a fuel for the production of electricity;

(v) Refuse derived fuels consisting of organic components and fibers of waste water treatment solids; or

(vi) Whole trees.

(d) "**Clean energy**" means **energy** that is generated from either:

(i) A renewable **energy** source such as wind, water, biomass or solar; or

(ii) An alternative **energy** source such as nuclear.

(e) "MDA" means the Mississippi Development Authority.

(f) "State tax" means:

(i) Any sales or use tax imposed on the business enterprise pursuant to law related to the purchase of component building materials and equipment for initial construction of facilities or expansion of facilities that are certified by the Mississippi Development Authority;

- (ii) All income tax imposed pursuant to law on income earned by the business enterprise certified by the Mississippi Development Authority;
- (iii) Franchise tax imposed pursuant to law on the value of capital used, invested or employed by the business enterprise certified by the Mississippi Development Authority; and
- (iv) Any sales or use tax imposed on the lease of machinery and equipment acquired in the initial construction to establish the facility or for an expansion certified by the Mississippi Development Authority.

Sources: Laws, 2010, ch. 533, § 12, eff from and after passage (approved July 1, 2010.)