

By: Senator(s) Burton

To: Appropriations

SENATE BILL NO. 2392  
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 27-103-159, MISSISSIPPI CODE OF 1972,  
2 TO MODIFY CERTAIN DEFINITIONS RELATING TO THE IDENTIFICATION AND  
3 INVENTORYING OF PROGRAMS USED IN THE BUDGETING PROCESS; TO EXPAND  
4 THE SCOPE OF AGENCIES THAT MAY BE REQUIRED TO PARTICIPATE IN THE  
5 PROCESS; AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** Section 27-103-159, Mississippi Code of 1972, is  
8 amended as follows:

9 27-103-159. (1) For purposes of this section, the following  
10 terms shall have the following meanings \* \* \* as defined in this  
11 subsection:

12 (a) "Evidence-based program" \* \* \* means an  
13 intervention program \* \* \* that has had multiple site \* \* \*  
14 randomized controlled trials across heterogeneous populations  
15 demonstrating that the program \* \* \* is effective for the  
16 population and that does not have an equivalent or more probative  
17 body of rigorous evaluation demonstrating its ineffectiveness.

18 (b) "Intervention program" means a discrete and  
19 systematic set of activities designed to achieve one or more



20 specific outcomes not constituted or reliably achieved by the  
21 activities themselves.

22 ( \* \* \*c) "Research-based program" \* \* \* means an  
23 intervention program \* \* \* that has had at least one (1) rigorous  
24 controlled evaluation demonstrating effectiveness and does not  
25 have an equivalent or more probative body of evaluations  
26 demonstrating its ineffectiveness.

27 ( \* \* \*d) "Promising \* \* \* program" \* \* \* means \* \* \*  
28 an intervention program that has had at least one (1) rigorous  
29 controlled evaluation demonstrating effectiveness.

30 ( \* \* \*e) "Other programs \* \* \*" \* \* \* means all  
31 programs \* \* \* that do not fit the definition of evidence-based,  
32 research-based or promising \* \* \* programs. This category may  
33 include nonintervention programs as well as intervention programs  
34 with rigorous evidence of ineffectiveness, mixed evidence of  
35 effectiveness, or an absence of evidence.

36 ( \* \* \*f) "Program inventory" \* \* \* means the \* \* \*  
37 list of all agency programs \* \* \* that for purposes of  
38 accountability means a set of activities upon which state  
39 resources are expended.

40 \* \* \*

41 (g) "Rigorous controlled evaluation" means an  
42 evaluation for which the program received a ranking of at least  
43 three (3) on the Maryland Scientific Methods Scale, which level  
44 requires a control group.



45 (2) Beginning with the fiscal year 2016 budget cycle, the  
46 Legislative Budget Office shall require the Department of  
47 Corrections, the Department of Health, the Department of  
48 Education, and the Department of Transportation to comply with the  
49 requirements of this section respecting the inventorying of agency  
50 programs and activities for use in the budgeting process. The  
51 aforementioned agencies shall submit all program information to  
52 the Legislative Budget Office in accordance with any policies  
53 established by that office setting out requirements for any  
54 filings required under this section. Additional agencies shall be  
55 required to comply with the provisions of this subsection as  
56 provided in subsection (5) of this section.

57 (3) The Legislative Budget Office, the PEER Committee staff,  
58 and personnel of each of the agencies \* \* \* required to comply  
59 with this section shall review the programs of each agency and  
60 shall:

61 (a) Establish an initial inventory of agency  
62 programs \* \* \* as defined in subsection (1)(a) through (e) of this  
63 section;

64 (b) Categorize all agency programs \* \* \* as  
65 intervention or nonintervention and all intervention programs as  
66 evidence-based, research-based, promising \* \* \*, or other \* \* \*.  
67 Where possible, other intervention programs should be further  
68 classified according to the subcategories in subsection (1) of  
69 this section;



70 (c) Identify agency and program premises, goals,  
71 objectives, outcomes and outputs, as well as any other indicator  
72 or component the staffs consider to be appropriate, such as  
73 evidence of a program's adherence to best practices;

74 (d) Report estimated expenditures and full-time  
75 equivalent (FTE) positions for each agency program for each fiscal  
76 year;

77 (e) Recommend new and additional budget programs that  
78 capture the work of the agency identified through the inventory  
79 process and that are reasonable in number for making  
80 appropriations;

81 ( \* \* \* f) Establish a procedure for base-lining  
82 programs which are built around promising practices or other  
83 programs that do not meet the definition of evidence-based or  
84 research-based programs, so that further research can be conducted  
85 to gauge the program's effectiveness;

86 ( \* \* \* g) Describe \* \* \* the goals and theories used to  
87 develop any program \* \* \* that is neither evidence-based or  
88 research-based; \* \* \*

89 ( \* \* \* h) \* \* \* Develop procedures for \* \* \* optimizing  
90 cost-effectiveness of agency programs; and

91 (i) Annually update each agency's inventory and related  
92 data as specified in paragraphs (b) through (e) of this subsection  
93 (3).

94 \* \* \*



95           ( \* \* \*4) Beginning with the fiscal year 2017 budget  
96 presentation, and each year thereafter, each state agency, general  
97 fund agency and special fund agency shall provide to the Joint  
98 Legislative Budget Committee a report of all sources of revenue,  
99 including the amounts from each source, collected by the agency in  
100 the most recent fiscal year. Such report shall include a list of  
101 each tax, fine or fee assessed by the agency, and it shall include  
102 the following for each:

103                   (a) The amount assessed;

104                   (b) The amount collected;

105                   (c) The code section, regulation, or other  
106 authoritative source that authorized their assessment and  
107 collection;

108                   (d) The method of determining assessments, including  
109 who is assessed, how the agency determines the amount of  
110 assessment, including rates;

111                   (e) The methods of collecting the amounts assessed;

112                   (f) The purposes for which the funds were expended by  
113 the agency;

114                   (g) The amount of funds transferred to the general  
115 fund, if applicable, and the authority by which the transfer took  
116 place;

117                   (h) The amount of funds transferred to another entity,  
118 if applicable, and the authority by which the transfer took place,



119 as well as the name of the entity to which the funds were  
120 transferred;

121 (i) The fiscal year-end balance of every fund that  
122 receives revenue generated by fines and fees; and

123 (j) Any Maintenance of Effort agreements entered into  
124 with any federal agency or subdivision thereof.

125 For sums received from state sources, the agency shall list  
126 each source, including each special fund, along with the amounts  
127 received from each fund. For sums received from federal  
128 government sources, the agency shall list each source at its most  
129 specific level, such as an office or division, not simply the  
130 federal department from which it came. The report shall also  
131 include a detailed description of the actions or results that were  
132 promised by the agency in order to receive these funds.

133 These reports shall be posted on the Legislative Budget  
134 Committee's website.

135 \* \* \*

136 (5) Upon recommendations of the PEER Committee staff, the  
137 Legislative Budget Office may for the fiscal year 2021 budget  
138 cycle and all later budget cycles, annually designate additional  
139 agencies that shall be required to comply with the provisions of  
140 subsections (1), (2) and (3) of this section. Material collected  
141 in association with the provisions of subsections (1), (2) and (3)  
142 of this section may be incorporated into agency appropriations



143 bills to the extent deemed practicable by the Legislative Budget  
144 Committee.

145           **SECTION 2.** This act shall take effect and be in force from  
146 and after July 1, 2019.

