

House Amendments to Senate Bill No. 2392

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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 non-intervention 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; and

89 (* * * h) * * * Develop procedures for * * * optimizing
90 cost effectiveness of agency programs.

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.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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.

HR31\SB2392A.J

Andrew Ketchings
Clerk of the House of Representatives