House Amendments to Senate Bill No. 2974

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:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Secretary of State for the fiscal year beginning July 1, 2020, and ending June 30, 2021..................$ 12,694,740.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Secretary of State for the fiscal year beginning July 1, 2020, and ending June 30, 2021........................$ 14,990,000.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent: Full Time.............. 96
Part Time.............. 0
With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2022 do not exceed Fiscal Year 2021 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2021 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2021 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2021 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or
allowable under the terms set forth within this act. The State
Personnel Board shall not escalate positions without written
approval from the Department of Finance and Administration. The
Department of Finance and Administration shall not provide written
approval to escalate any funds for salaries and/or positions
without proof of availability of new or additional funds above the
appropriated level.

No general funds authorized to be expended herein shall be
used to replace federal funds and/or other special funds which are
being used for salaries authorized under the provisions of this
act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in
violation of Internal Revenue Service’s Publication 15-A relating
to the reporting of income paid to contract employees, as
interpreted by the Office of the State Auditor.

SECTION 4. None of the funds appropriated by this act shall
be expended for any purpose that is not actually required or
necessary for performing any of the powers or duties of the Office
of the Secretary of State that are authorized by the Mississippi
Constitution of 1890, state or federal law, or rules or
regulations that implement state or federal law.

SECTION 5. No part of the funds appropriated herein shall be
used, either directly or indirectly, for the purpose of paying any
clerk, stenographer, assistant, deputy, or other person who may be
related by blood or marriage within the third degree, computed by
the rules of the civil law, to the official employing or having
the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; provided that when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 6. Of the funds appropriated in Section 1, the Secretary of State may use funds appropriated for the purposes of defraying litigation expenses associated with the enforcement of the Mississippi Securities Act, the Regulation of Charitable Solicitations Act, and the administration of the Public Trust.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

<table>
<thead>
<tr>
<th>Performance Measures</th>
<th>Target</th>
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<tbody>
<tr>
<td>Phone Calls Answered within 10 Seconds (%)</td>
<td>92.00</td>
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S. B. 2974
PAGE 4
Poll Workers to Successfully Complete the Online Training Program (Number of) 82
Voter Registrations Updated via Secure Online Website (Number of) 50
Poll Workers who Successfully Complete the Online Poll Manager Training on their First Attempt (%) 60.00
Publications Visits to the Secretary of State's Website (Number of) 11,000,000
Public Lands Tax-Forfeited Properties Sold (Number of) 500
Support Services Support Services as a Percentage of Total Agency Expenditures (%) 27.00
A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2022.

SECTION 8. Of the funds appropriated in Section 1, no more than Five Hundred Thousand Dollars ($500,000.00) is provided for paying principal and interest on bond issues for county voting systems.

SECTION 9. Of the funds appropriated in Section 2, One Million Seven Hundred Fifty Thousand Dollars ($1,750,000.00) or so much thereof as may be necessary, is appropriated out of any money
in the State Treasury to the credit of the Land Records
Maintenance Fund, for the purpose of making distributions to local
governments for taxes owed during the fiscal year.

SECTION 10. Of the funds appropriated in Section 2, One
Million Five Hundred Thousand Dollars ($1,500,000.00) or so much
thereof as may be necessary, is appropriated out of any money in
the State Treasury to the credit of the Elections Support Fund,
for the purpose of acquiring, upgrading, maintaining, or repairing
voting equipment, systems, and supplies, hiring temporary
technical support, conducting elections using such voting
equipment or systems and training election officials during the
fiscal year.

SECTION 11. Of the funds appropriated in Section 2, Eleven
Million Seven Hundred Forty Thousand Dollars ($11,740,000.00) or
so much thereof as may be necessary, is appropriated out of any
money in the State Treasury to the credit of the Public Trust
Tidelands Fund, and is authorized to be transferred by the
Secretary of State to the Mississippi Department of Marine
Resources.

SECTION 12. It is the intention of the Legislature that
whenever two (2) or more bids are received by this agency for the
purchase of commodities or equipment, and whenever all things
stated in such received bids are equal with respect to price,
quality and service, the Mississippi Industries for the Blind
shall be given preference. A similar preference shall be given to
the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2020, and shall stand repealed from and after June 30, 2020.

HR13\SB2974A.J

Andrew Ketchings
Clerk of the House of Representatives