

By: Representatives Read, White, Banks,
Beckett, Bennett, Bounds, Busby, Cockerham,
Hines, Hopkins, Watson, Young

To: Appropriations

HOUSE BILL NO. 1379
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
3 MISSISSIPPI DEPARTMENT OF INSURANCE FOR THE FISCAL YEAR 2022.

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

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is appropriated out of any money in the State General
7 Fund not otherwise appropriated, for the purpose of defraying the
8 expenses of the Mississippi Department of Insurance for the fiscal
9 year beginning July 1, 2021, and ending June 30, 2022.....
10 \$ 11,792,846.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is appropriated out of any money in any special fund in
13 the State Treasury to the credit of the Mississippi Department of
14 Insurance which is comprised of special source funds collected by
15 or otherwise available to the department, for the support of the
16 various offices of the department for the fiscal year beginning
17 July 1, 2021, and ending June 30, 2022.....\$ 180,000.00.



18 **SECTION 3.** Of the funds appropriated under the provisions of
19 this act, the following positions are authorized:

20 AUTHORIZED POSITIONS:

21	Permanent:	Full Time	141
22		Part Time	0
23	Time-Limited:	Full Time	0
24		Part Time	0

25 With the funds herein appropriated, it shall be the agency's
26 responsibility to make certain that funds required to be
27 appropriated for "Personal Services" for Fiscal Year 2023 do not
28 exceed Fiscal Year 2022 funds appropriated for that purpose unless
29 programs or positions are added to the agency's Fiscal Year 2022
30 budget by the Mississippi Legislature. Based on data provided by
31 the Legislative Budget Office, the State Personnel Board shall
32 determine and publish the projected annual cost to fully fund all
33 appropriated positions in compliance with the provisions of this
34 act. Absent a special situation or circumstance approved by the
35 State Personnel Board, or unless otherwise authorized by this act,
36 no state agency shall take any action to promote or otherwise
37 award salary increases through reallocation or realignment. If
38 the State Personnel Board determines a special situation or
39 circumstance exists and approves an action, then the agency and
40 the State Personnel Board shall provide a monthly report of each
41 action approved by the State Personnel Board to the chairmen of
42 the Accountability, Efficiency and Transparency Committees of the



43 Senate and House of Representatives and the chairmen of the
44 Appropriations Committees of the Senate and House of
45 Representatives. It shall be the responsibility of the agency
46 head to ensure that no single personnel action increases this
47 projected annual cost and/or the Fiscal Year 2022 appropriations
48 for "Personal Services" when annualized, with the exception of
49 escalated funds and the award of benchmarks. If, at the time the
50 agency takes any action to change "Personal Services," the State
51 Personnel Board determines that the agency has taken an action
52 which would cause the agency to exceed this projected annual cost
53 or the Fiscal Year 2022 "Personal Services" appropriated level,
54 when annualized, then only those actions which reduce the
55 projected annual cost and/or the appropriation requirement will be
56 processed by the State Personnel Board until such time as the
57 requirements of this provision are met.

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



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

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

75 Funds have been appropriated herein for the purpose of
76 implementation and funding Project SEC2 of the Colonel Guy Groff
77 State Variable Compensation Plan beginning January 1, 2022, and
78 ending June 30, 2022. It shall be the agency's responsibility to
79 make certain that each person, excluding executive directors,
80 agency heads, and elected judges, shall receive no more than a 3%
81 annual increase in salary which shall not exceed the market rate
82 established by the State Personnel Board pursuant to the Colonel
83 Guy Groff State Variable Compensation Plan for each
84 classification.

85 **SECTION 4.** It is the intention of the Legislature that the
86 Mississippi Department of Insurance shall maintain complete
87 accounting and personnel records related to the expenditure of all
88 funds appropriated under this act and that such records shall be
89 in the same format and level of detail as maintained for Fiscal
90 Year 2021. It is further the intention of the Legislature that
91 the agency's budget request for Fiscal Year 2023 shall be



92 submitted to the Joint Legislative Budget Committee in a format
93 and level of detail comparable to the format and level of detail
94 provided during the Fiscal Year 2022 budget request process.

95 **SECTION 5.** In compliance with the "Mississippi Performance
96 Budget and Strategic Planning Act of 1994," it is the intent of
97 the Legislature that the funds provided herein shall be utilized
98 in the most efficient and effective manner possible to achieve the
99 intended mission of this agency. Based on the funding authorized,
100 this agency shall make every effort to attain the targeted
101 performance measures provided below:

	FY2022
<u>Performance Measures</u>	<u>Target</u>
Lic & Reg MS Ins Co's & Agents	
Number of (Producer, etc) Licenses Issued	152,000
Average Cost Per License Issued (\$)	35.00
Number of Agent's C/A's Issued	430,000
Average Cost Per Agent C/A Issued (\$)	40.00
Number of Requests for Assistance	12,660
Average Cost Per Customer I/C Addressed (\$)	53.00
Number of Fire Marshal Investigations	750
Cost Per Fire Marshal Investigation (\$)	550.00
Number of Fire Marshal Inspections	8,500
Average Cost Per Fire Marshal Inspection (\$)	60.00
Liquefied Compressed Gas	
Number of Accidents/Injuries/Deaths due	



117	to Incidents Involving LCG	0
118	Number of Inspections	8,000
119	Average Cost Per Inspection (\$)	60.00
120	Number of Safety Training Schools/Seminars	170
121	Average Cost Per Safety Training School (\$)	145.00

122 A reporting of the degree to which the performance targets
123 set above have been or are being achieved shall be provided in the
124 agency's budget request submitted to the Joint Legislative Budget
125 Committee for Fiscal Year 2023.

126 **SECTION 6.** Of the funds appropriated under the provisions of
127 Section 1, Fifteen Thousand Seventy-nine Dollars (\$15,079.00) is
128 provided for the Mississippi Fire Personnel Minimum Standards and
129 Certification Board.

130 **SECTION 7.** Of the funds appropriated under the provisions of
131 Section 1, funds in the amount of Twenty Thousand Dollars
132 (\$20,000.00) are provided and shall be expended to pay the annual
133 dues for the National Conference of Insurance Legislators.

134 **SECTION 8.** It is the intention of the Legislature that none
135 of the funds appropriated above shall be expended unless members
136 of the Mississippi House of Representatives and Mississippi Senate
137 are notified at least five (5) days prior to a public ceremony
138 announcing the award of any grant in their district or any public
139 announcement or ceremony regarding any project for which the
140 Legislature has made funds available. Any signage regarding any
141 public event or project shall include the following language:



142 "Funds were made available for this project by the Mississippi
143 State Legislature."

144 **SECTION 9.** It is the intention of the Legislature that
145 whenever two (2) or more bids are received by this agency for the
146 purchase of commodities or equipment, and whenever all things
147 stated in such received bids are equal with respect to price,
148 quality and service, the Mississippi Industries for the Blind
149 shall be given preference. A similar preference shall be given to
150 the Mississippi Industries for the Blind whenever purchases are
151 made without competitive bids.

152 **SECTION 10.** Within the limits of the funds available to the
153 Mississippi Insurance Department for such purpose, the
154 Commissioner of Insurance for the Mississippi Insurance Department
155 may grant a paid internship to students pursuing junior or senior
156 undergraduate level year coursework toward a bachelor's degree in
157 risk management insurance or graduate level coursework towards a
158 master's degree in business administration. Those applicants
159 deemed qualified by the Mississippi Department of Insurance shall
160 receive funds that may be used to pay for tuition, books and
161 related fees to pursue their degree. It is the intent of the
162 Legislature that the paid internship program shall be used as
163 incentive for risk management insurance careers at the Mississippi
164 Insurance Department.

165 **SECTION 11.** Of the funds appropriated in Section 1, Two
166 Hundred Fifty Thousand Dollars (\$250,000.00) is provided for the



167 State Fire Marshal's Office for fire safety prevention and
168 services, including, but not limited to, fire protection supplies
169 and materials, smoke alarms, and public service announcements
170 providing fire prevention information.

171 **SECTION 12.** Of the funds appropriated under the provisions
172 of Section 2, the following sum, or so much thereof as may be
173 necessary, is appropriated out of any money in the State Treasury
174 to the credit of the Propane Education and Research Program Fund,
175 for the purpose of research and development of more cost effective
176 uses of propane and on educational programs, safety programs, and
177 market development of propane for the fiscal year beginning
178 July 1, 2021, and ending June 30, 2022.....\$ 130,000.00.

179 **SECTION 13.** Of the following sum, or so much thereof as may
180 be necessary, is hereby appropriated out of any money in the
181 special fund in the State Treasury to the credit of the Rural Fire
182 Truck Acquisition Assistance Fund and/or the Supplemental Rural
183 Fire Truck Fund, which was created in Section 1, Laws of 2004,
184 Third Extraordinary Session, to the Mississippi Department of
185 Insurance for the Rural Fire Truck Acquisition Assistance Program
186 for the fiscal year beginning July 1, 2021, and ending June 30,
187 2022\$ 2,000,000.00.

188 **SECTION 14.** The following sum, or so much thereof as may be
189 necessary, is reappropriated out of any money in the special fund
190 in the State Treasury to the credit of the Rural Fire Truck
191 Acquisition Fund and/or the Supplementary Rural Fire Truck Fund,



192 which was created in Section 152 of Chapter 1, Laws of 2004, Third
193 Extraordinary Session, to the Mississippi Department of Insurance
194 for the Rural Fire Truck Acquisition Assistance Program for the
195 fiscal year beginning July 1, 2021, and ending June 30, 2022
196\$ 2,280,000.00.

197 Notwithstanding the amount reappropriated under the
198 provisions of this section, in no event shall the amount expended
199 exceed the unexpended balance as of June 30, 2021.

200 **SECTION 15.** Of the funds in Section 13, the following sum, or
201 so much thereof as may be necessary, is appropriated out of any
202 money in the State Treasury to the credit of the Capital Expense
203 Fund, for the purpose of defraying the expenses of the Rural Fire
204 Truck Acquisition Assistance Fund and/or the Supplemental Rural
205 Fire Truck Fund, which was created in Section 1, Laws of 2004,
206 Third Extraordinary Session, to the Mississippi Department of
207 Insurance for the Rural Fire Truck Acquisition Assistance Program
208 for the fiscal year beginning July 1, 2021, and ending June 30,
209 2022\$ 2,000,000.00.

210 **SECTION 16.** The money herein appropriated shall be paid by
211 the State Treasurer out of any money in the State Treasury to the
212 credit of the proper fund or funds as set forth in this act, upon
213 warrants issued by the State Fiscal Officer; and the State Fiscal
214 Officer shall issue his warrants upon requisitions signed by the
215 proper person, officer or officers, in the manner provided by law.



216 **SECTION 17.** Of the funds appropriated under the provisions
217 of Section 2, Fifty Thousand Dollars (\$50,000.00), or so much
218 thereof, shall be derived out of any money in the State Treasury
219 to the credit of the Capital Expense Fund, as created in Section
220 27-103-303, Mississippi Code of 1972, and allocated in a manner as
221 determined by the State Treasurer. These funds are provided for
222 the purchase of smoke alarms.

223 **SECTION 18.** This act shall take effect and be in force from
224 and after July 1, 2021.

