

By: Senator(s) Hopson, Polk, Parks, DeBar,  
Simmons (13th), Williams

To: Appropriations

SENATE BILL NO. 2904  
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF  
2 STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT  
3 UNIVERSITIES FOR FISCAL YEAR 2022.

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

5 **SECTION 1.** The following sum of money, or so much thereof as  
6 may be necessary, is hereby appropriated out of any money in the  
7 State General Fund not otherwise appropriated, to the Board of  
8 Trustees of State Institutions of Higher Learning for the purpose  
9 of support, maintenance, affirmative action plan, interest funds  
10 and repairs at the state-supported institutions of higher  
11 learning; for support of Alcorn State University, Delta State  
12 University, Jackson State University, Mississippi State  
13 University, Mississippi University for Women, Mississippi Valley  
14 State University, University of Mississippi, and University of  
15 Southern Mississippi, for the fiscal year beginning July 1, 2021,  
16 and ending June 30, 2022 ..... \$ 306,095,961.00.

17 **SECTION 2.** The following sum of money, or so much thereof as  
18 may be necessary, is hereby appropriated out of the proceeds from



19 any federal, student fees or other special source funds not  
20 otherwise appropriated, to the Board of Trustees of State  
21 Institutions of Higher Learning for the purpose of support of  
22 education and general operations of Alcorn State University, Delta  
23 State University, Jackson State University, Mississippi State  
24 University, Mississippi University for Women, Mississippi Valley  
25 State University, University of Mississippi, and University of  
26 Southern Mississippi, for the fiscal year beginning July 1, 2021,  
27 and ending June 30, 2022 .....\$ 997,314,008.00.

28       **SECTION 3.** The following sums, or so much thereof as may be  
29 necessary, are hereby appropriated out of any money in the Ayers  
30 Endowment Interest Fund, State Treasury Fund No. 3325800000, for  
31 the purposes as set out by the courts in the Ayers Case for the  
32 fiscal year beginning July 1, 2021, and ending June 30, 2022:

33	Alcorn State University .....	\$	254,700.00
34	Jackson State University .....	\$	390,600.00
35	Mississippi Valley State University .....	\$	254,700.00

36       **SECTION 4.** Of the funds appropriated under the provisions of  
37 Section 2, the amount of One Million Four Hundred Thirty-nine  
38 Thousand Five Hundred Eighty-nine Dollars (\$1,439,589.00) shall be  
39 derived from unexpended balances in the Ayers program funds  
40 provided for the purpose in prior-year appropriations enacted by  
41 The Mississippi Legislature. These funds are to be allocated as  
42 follows:

43	Jackson State University .....	\$	1,019,621.00
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Mississippi Valley State University.....\$ 419,968.00

**SECTION 5.** It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning shall allocate funds to the off-campus centers based on a minimum rate of sixty-five percent (65%) of the on-campus cost of a full-time equivalent student. The on-campus distribution is to be determined without regard to the costs incurred by any one or more of them in the operation of off-campus degree-completing centers' classes. Off-campus centers which are operated jointly by two (2) or more institutions, the amount allocated to such centers shall be prorated among the institutions jointly operating such centers based on the full-time equivalent enrollment of such centers.

The board of trustees shall ensure that the off-campus centers are not charged with any indirect or overhead cost prorated from any on-campus activity. It is the intention of the Legislature that the on-campus operations charge the off-campus centers with only actual direct charges.

**SECTION 6.** Of the funds appropriated in Section 1 of this act, the amount of One Hundred Forty-five Thousand Dollars (\$145,000.00) shall be used for the promotion and expenses of the Mississippi Governor's School for the Gifted and Talented.

Provided, however, that the Board of Trustees of State Institutions of Higher Learning shall develop the governing policy for faculty, course content and facilities selection on a competitive basis from all Mississippi senior colleges and



69 universities. The Mississippi Governor's School for the Gifted  
70 and Talented shall accept not less than one (1) high school  
71 student nominee from each accredited high school in Mississippi.  
72 The nominees, selected under criteria developed and adopted by the  
73 Board of Trustees of State Institutions of Higher Learning, shall  
74 be provided a two-week tuition-free program.

75 **SECTION 7.** Of the funds appropriated in Section 1 of this  
76 act, the amount of Three Hundred Forty-nine Thousand Two Hundred  
77 Dollars (\$349,200.00) shall be used for the promotion and expenses  
78 of the Teacher Corps.

79 **SECTION 8.** It is the intent of the Legislature that no  
80 general funds authorized to be expended herein shall be used to  
81 replace federal funds and/or other special funds which are being  
82 used for salaries authorized under the provisions of this act and  
83 which are withdrawn and no longer available.

84 **SECTION 9.** Of the funds appropriated in Section 1 of this  
85 act, the following amounts shall be used as set forth:

- 86 (a) For Mississippi State University as interest  
87 on agricultural land script fund and  
88 interest on sale of university land, the  
89 sum of .....\$ 14,387.00
- 90 (b) For the University of Mississippi as  
91 interest on original seminary fund, the  
92 sum of .....\$ 32,643.00
- 93 (c) For the University of Mississippi as



94 interest on 1904 land grant fund, the  
95 sum of .....\$ 9,965.00  
96 (d) For the University of Mississippi as  
97 interest on LaBauve Fund, the sum  
98 of .....\$ 1,420.00  
99 (e) For Mississippi University for Women  
100 as interest on funds paid into the  
101 State Treasury as proceeds of sale of  
102 land donated to the Industrial Institute  
103 and College by the United States  
104 government, the sum of .....\$ 9,389.00  
105 (f) For Alcorn State University as interest  
106 on land script and land sales funds,  
107 the sum of .....\$ 12,592.00

108 **SECTION 10.** Of the funds appropriated in Section 2 of this  
109 act, the following amount shall be derived from Education  
110 Enhancement Funds deposited pursuant to Sections 27-65-75 and  
111 27-67-31, Mississippi Code of 1972:

112 On-campus and off-campus support of Alcorn State University,  
113 Delta State University, Jackson State University,  
114 Mississippi State University, Mississippi University for  
115 Women, Mississippi Valley State University, University  
116 of Mississippi, and University of Southern Mississippi  
117 for the sum of .....\$ 60,373,070.00.



**SECTION 11.** Of the funds appropriated under the provision of Section 2, the following sum, or so much necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Institutions of Higher Learning (IHL), acting through the Bureau of Building, Grounds and Real Property Management, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 .....

.....\$ 13,239,631.00.

This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for construction and/or repair and renovation projects for the Institutions of Higher Learning as allocated herein:

Alcorn State University .....	\$ 732,372.00
Delta State University .....	\$ 607,055.00
Jackson State University .....	\$ 1,175,025.00
Mississippi State University (including the Forest and Wildlife Research Center and the Division of Agriculture, Forestry and Veterinary Medicine) .....	\$ 3,819,858.00
Mississippi University for Women .....	\$ 534,143.00
Mississippi Valley State University .....	\$ 696,445.00
University of Mississippi .....	\$ 3,296,782.00
University of Southern Mississippi .....	\$ 2,377,951.00
Total .....	\$ 13,239,631.00



**SECTION 12.** Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, Seven Million Six Hundred Thirty-three Thousand Dollars (\$7,633,000.00) shall be available to be expended by the Board of Trustees of State Institutions of Higher Learning for the purpose of defraying the costs associated with the implementation of the Ayers Settlement as follows:

Ayers-related programs at Alcorn State University, Jackson State University and Mississippi Valley State University .....	\$ 6,733,000.00
Interest on the Ayers Endowment Fund.....	\$ 900,000.00

**SECTION 13.** It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning shall first use special funds to the greatest extent possible to defray the costs of providing remediation at the state-supported institutions of higher learning.

**SECTION 14.** Of the funds appropriated under the provision of Section 2, One Million One Hundred Thirty-seven Thousand One Hundred Seventy-three Dollars (\$1,137,173.00), or so much necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's office. The funds provided are unspent Ayers Program Funds by these respective schools from FY 2004 through FY 2008 and allocated as follows:

Alcorn State University	\$ 635,353.00
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168 Jackson State University \$ 153,481.00

169 Mississippi Valley State University \$ 348,339.00

170 **SECTION 15.** None of the funds appropriated by this act shall  
171 be expended for any purpose that is not actually required or  
172 necessary for performing any of the powers or duties of the Board  
173 of Trustees of State Institutions of Higher Learning, or any of  
174 the powers or duties of any institution under the jurisdiction of  
175 the board of trustees, that are authorized by the Mississippi  
176 Constitution of 1890, state or federal law, or rules or  
177 regulations that implement state or federal law.

178 **SECTION 16.** It is the intention of the Legislature that the  
179 budget requests of the institutions for Fiscal Year 2023 shall be  
180 submitted to the Joint Legislative Budget Committee in a format  
181 and level of detail comparable to the format and level of detail  
182 provided during the Fiscal Year 2022 budget request process.

183 **SECTION 17.** It is the intention of the Legislature that the  
184 Board of Trustees of State Institutions of Higher Learning  
185 continue to review, and eliminate when possible, duplicating  
186 programs and degrees in the existing institutions of higher  
187 learning in this state.

188 **SECTION 18.** No state appropriations or student tuition and  
189 fee receipts, except those specifically charged for the provision  
190 of the services, shall be used to support auxiliary enterprises,  
191 with the exception of intercollegiate athletics at a level  
192 designated by the board of trustees. It is the intent of the





193 Legislature that auxiliary enterprises shall be self-supporting  
194 and that deficits not be taken from funds intended for instruction  
195 and academic programs.

196       **SECTION 19.** The Board of Trustees of State Institutions of  
197 Higher Learning shall report yearly to the Legislature the  
198 institution compliance with Section 97-11-51, Mississippi Code of  
199 1972, which prohibits deficit spending.

200       **SECTION 20.** Any funds appropriated pursuant to this act and  
201 paid as a fee to or deposited in a financial institution shall be  
202 in compliance with Section 109 of the Constitution of the State of  
203 Mississippi and Section 25-4-105, Mississippi Code of 1972.

204       **SECTION 21.** In compliance with the "Mississippi Performance  
205 Budget and Strategic Planning Act of 1994," it is the intent of  
206 the Legislature that the funds provided herein shall be utilized  
207 in the most efficient and effective manner possible to achieve the  
208 intended mission of this agency. Based on the funding authorized,  
209 this agency shall make every effort to attain the targeted  
210 performance measures provided below:

	FY2022
<u>Performance Measures</u>	<u>Target</u>
Instruction	
Number of Undergraduate Degrees Awarded	12,221
Number of Graduate Degrees Awarded	4,592
Number of Degrees (Graduate & Undergraduate) Awarded in the Fields of	



218	STEM, Health & Education	5,083
219	Number of Undergraduate Degrees Awarded	
220	per 100 Undergraduate FTE Enrollment	20.10
221	Number of Graduate Degrees Awarded per	
222	100 Graduate FTE Enrollment	44.20
223	Number of Students Completing 30 Hours	13,915
224	Number of Students Completing 60 Hours	10,132
225	Research	
226	Number of Patents Obtained in Emerging	
227	Technologies	25

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

232 **SECTION 22.** Of the funds provided herein to the Board of  
233 Trustees of State Institutions of Higher Learning, the following  
234 amount, or so much thereof as may be necessary, shall be allocated  
235 equally to Jackson State University, Mississippi State University,  
236 the University of Mississippi, and the University of Southern  
237 Mississippi for economic development, reorganization, and  
238 relocation of efforts at those universities.....\$ 2,000,000.00.

239 **SECTION 23.** Of the funds provided herein to the Board of  
240 Trustees of State Institutions of Higher Learning, the following  
241 amount, or so much thereof as may be necessary, shall be allocated  
242 to Mississippi State University - Meridian



243 Branch .....\$ 900,000.00.

244       **SECTION 24.** It is the intention of the Legislature that  
245 whenever two (2) or more bids are received by this agency for the  
246 purchase of commodities or equipment, and whenever all things  
247 stated in such received bids are equal with respect to price,  
248 quality and service, the Mississippi Industries for the Blind  
249 shall be given preference. A similar preference shall be given to  
250 the Mississippi Industries for the Blind whenever purchases are  
251 made without competitive bids.

252       **SECTION 25.** Of the funds provided herein to the Board of  
253 Trustees of State Institutions of Higher Learning, the following  
254 amount, or so much thereof as may be necessary, shall be allocated  
255 to Jackson State University E-Learning Center....\$ 485,000.00.

256       **SECTION 26.** Of the funds provided herein to the Board of  
257 Trustees of State Institutions of Higher Learning, the following  
258 amount, or so much thereof as may be necessary, shall be allocated  
259 to the Delta State University  
260 E-Learning Center .....\$ 155,000.00.

261       **SECTION 27.** It is the intent of the Legislature that at the  
262 end of Fiscal Year 2022 any unexpended balances in Ayers programs  
263 funds established pursuant to this act shall not lapse into the  
264 State General Fund, but shall carry over and be available for  
265 expenditure in the succeeding fiscal year, and subject to  
266 Legislative appropriation.



**SECTION 28.** None of the State General Funds appropriated by this act shall be expended for the purpose of travel outside the United States.

**SECTION 29.** Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following sum, or so much thereof as may be necessary, shall be allocated to Delta State University Department of Commercial Aviation.....  
.....\$ 800,000.00.

**SECTION 30.** Of the funds appropriated in Section 1 and Section 2 of this act, One Hundred Ninety-one Thousand Six Hundred Ten Dollars (\$191,610.00) is provided for geospatial site licenses.

**SECTION 31.** It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

**SECTION 32.** Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following



amount shall be allocated to the Delta State University Delta  
Center for Culture and Learning .....\$ 100,000.00.

The funds allocated in this section shall only be used for  
the Delta Center for Culture and Learning.

**SECTION 33.** Of the funds provided herein to the Board of  
Trustees of State Institutions of Higher Learning, the following  
amount, or so much thereof as may be necessary, shall be allocated  
to fund the Washington Center for Internships and Academic  
Seminars Mississippi Initiative Scholarship Program.....  
.....\$ 75,000.00.

This program will provide opportunities for Mississippi's  
university and college students to gain real-life experience  
working in Washington, D.C. The funding will provide scholarships  
at Alcorn State University, Delta State University, Jackson State  
University, Mississippi State University, Mississippi University  
for Women, Mississippi Valley State University, the University of  
Mississippi, and the University of Southern Mississippi. A  
written report shall be submitted listing the scholarship  
recipients by university to the Chairmen and members of the Senate  
and House Appropriations Committees.

**SECTION 34.** None of the funds appropriated and/or authorized  
for expenditure under this act shall be used for research in which  
a human embryo is killed or destroyed.

**SECTION 35.** Of the funds appropriated under the provisions  
of Section 1 of this act, an amount not more than One Hundred



316 Twenty-five Thousand Dollars (\$125,000.00) shall be allocated to  
317 implement university system efficiencies, including, but not  
318 limited to, academic, space, energy and any other system projects  
319 or expenditures that would lead to improved efficiency. Such  
320 funds may also be used to draw down other funds or as matching  
321 funds.

322       **SECTION 36.** Of the funds appropriated under the provisions  
323 of Section 1 of this act, Eighty-seven Thousand Three Hundred  
324 Dollars (\$87,300.00) shall be used to defray the expenses of the  
325 Children's Center for Communication and Development at the  
326 University of Southern Mississippi.

327       **SECTION 37.** Of the funds appropriated in Section 1 of this  
328 act, the amount of Two Hundred Forty-two Thousand Five Hundred  
329 Dollars (\$242,500.00) is provided for defraying the expenses of  
330 the DuBard School.

331       **SECTION 38.** Of the funds appropriated under the provisions  
332 of Section 1 of this act, the following sum is for the Southwest  
333 Mississippi Center for Culture and Learning at Alcorn State  
334 University for the fiscal year beginning July 1, 2021, and ending  
335 June 30, 2022 .....\$       266,750.00.

336       **SECTION 39.** Of the funds appropriated in Section 1 of this  
337 act, it is the intention of the Legislature that Eight Hundred  
338 Fifty Thousand Dollars (\$850,000.00) is provided for the Engineer  
339 Research and Development Center in Vicksburg, Mississippi, for



Research and Development opportunities in Science and Technology initiatives.

**SECTION 40.** Of the funds appropriated in Section 1 of this act, Three Hundred Thousand Dollars (\$300,000.00) is provided for the Delta State University Delta Music Institute.

**SECTION 41.** It is the intention of the Legislature that Mississippi Valley State University is authorized to provide water or sewer service to any existing, privately-owned structures that presently take water or sewer service from Mississippi Valley State University. Furthermore, Mississippi Valley State University is authorized to charge a flat or metered rate for the service provided. Mississippi Valley State University shall not provide any water or sewer service to any new, privately-owned structures.

**SECTION 42.** Of the funds herein appropriated, Seven Hundred Twenty-nine Thousand Eight Hundred Ninety Dollars (\$729,890.00) shall be provided to the Charter School Authorizer Board. Of this amount, Two Hundred Twenty-nine Thousand Eight Hundred Ninety Dollars (\$229,890.00) shall be provided in General Funds and Five Hundred Thousand Dollars (\$500,000.00) shall be provided in Special Funds from the Charter School Authorizer Board Fund - Fund No. 3001700000.

**SECTION 43.** It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency



365 shall incur obligations or indebtedness in excess of their  
366 appropriation and that the responsible officers, either personally  
367 or upon their official bonds, shall be held responsible for  
368 actions contrary to this provision.

369       **SECTION 44.** The money herein appropriated shall be paid by  
370 the State Treasurer out of any money in the State Treasury to the  
371 credit of the proper fund or funds as set forth in this act, upon  
372 warrants issued by the State Fiscal Officer; and the State Fiscal  
373 Officer shall issue his warrants upon requisitions signed by the  
374 proper person, officer or officers, in the manner provided by law.

375       **SECTION 45.** This act shall take effect and be in force from  
376 and after July 1, 2021.

