

By: Senator(s) Hopson, Polk, Wiggins,
Jackson (32nd), Tate

To: Appropriations

SENATE BILL NO. 2916
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2022.

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

4 **SECTION 1.** The following sum of money, or so much thereof as
5 may be necessary, is appropriated out of any money in the State
6 General Fund not otherwise appropriated, to defray the expenses of
7 the Department of Public Safety for the fiscal year beginning
8 July 1, 2021, and ending June 30, 2022..... \$ 107,455,881.00.

9 **SECTION 2.** The following sum, or so much thereof as may be
10 necessary, is appropriated out of any money in the State Treasury
11 to the credit of the Department of Public Safety for the purpose
12 of defraying the expenses incurred in the operation of the various
13 divisions of the department for the fiscal year beginning
14 July 1, 2021, and ending June 30, 2022..... \$ 126,720,218.00.

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

17 AUTHORIZED POSITIONS:

18 Permanent: Full Time 1,827



19	Part Time	0
20	Time-Limited: Full Time	95
21	Part Time	3

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



44 projected annual cost and/or the Fiscal Year 2022 appropriations
45 for "Personal Services" when annualized, with the exception of
46 escalated funds and the award of benchmarks. If, at the time the
47 agency takes any action to change "Personal Services," the State
48 Personnel Board determines that the agency has taken an action
49 which would cause the agency to exceed this projected annual cost
50 or the Fiscal Year 2022 "Personal Services" appropriated level,
51 when annualized, then only those actions which reduce the
52 projected annual cost and/or the appropriation requirement will be
53 processed by the State Personnel Board until such time as the
54 requirements of this provision are met.

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

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



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

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

82 **SECTION 4.** The Commissioner of Public Safety may, on a
83 case-by-case basis, within funds available, recommend that
84 corrective salary adjustments be made to the compensation of
85 employees of the Department of Public Safety where an inequity was
86 created between employees of equivalent capacity by previous
87 application of the agency appropriation acts. Any such corrective
88 salary adjustment plan must have prior approval by the State
89 Personnel Board. Such adjustments will not be retroactive.

90 Any funds in the Salary, Wages and Fringe Benefits major
91 object of expenditure may be used to purchase accumulated
92 compensatory time within funds available.



93 **SECTION 5.** It is the intention of the Legislature, in
94 accordance with House Bill 974, 2021 Regular Session, the
95 Department of Finance and Administration shall transfer Six
96 Million Six Hundred Thirty-two Thousand Two Hundred Fifteen
97 Dollars (\$6,632,215.00), all employees, equipment, inventory and
98 resources of the Capitol Police employed and used as law
99 enforcement personnel to the Department of Public Safety on July
100 1, 2021. The transfer of personnel shall be commensurate with the
101 number and classification of positions allocated to that law
102 enforcement. The transfer shall also include direct support,
103 clerical, data processing and communications positions allocated
104 to that law enforcement.

105 **SECTION 6.** Contingent upon passage of Senate Bill 2825, 2021
106 Regular Session, it is the intention of the Legislature, that the
107 Mississippi Department of Transportation shall transfer Sixteen
108 Million Two Hundred Ten Thousand Five Hundred Forty-six Dollars
109 (\$16,210,546.00), all employees, equipment, inventory and
110 resources of the Commercial Transportation Enforcement Division
111 employed and used as law enforcement personnel to the Department
112 of Public Safety on July 1, 2021. The transfer of personnel shall
113 be commensurate with the number and classification of positions
114 allocated to that law enforcement. The transfer shall also
115 include direct support, clerical, data processing and
116 communications positions allocated to that law enforcement.



117 **SECTION 7.** Of the funds appropriated in Section 1 and
118 Section 2, funds are provided for the implementation of House Bill
119 974, 2021 Regular Session and Senate Bill 2825, 2021 Regular
120 Session.

121 **SECTION 8.** It is the intent of the Legislature that the
122 local governments pay for part of the computer cost of the
123 Mississippi Justice Information Center by maintaining their
124 contribution to the Department of Public Safety.

125 **SECTION 9.** It is the intention of the Legislature that the
126 Department of Public Safety designate certain employees to aid the
127 Office of Forensics Laboratories in the billing and collecting of
128 all fees charged for services rendered by the Office of Forensics
129 Laboratories.

130 **SECTION 10.** No part of the funds appropriated herein shall
131 be transferred to, expended by, or used, directly or indirectly,
132 for the benefit of any public relations, publicity or publication
133 activities of any other state agency, department or officer, nor
134 shall any personnel paid with funds appropriated herein be
135 transferred or assigned to any other state agency, department or
136 officer for public relations, publicity, or publication activities
137 of such office.

138 **SECTION 11.** It is the intention of the Legislature that the
139 Department of Public Safety shall not issue citations for
140 violations of speed limits on a quota basis. No funds expended



under this act shall be used for such quota-based citations for violations of speed limits.

SECTION 12. 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:

	FY2022
<u>Performance Measures</u>	<u>Target</u>
Enforcement	
Increased Enforcement - Citations (%)	6.30
Decrease Fatalities (%)	4.10
Increase in DUI Arrests (Includes Felony DUI) (%)	5.00
Criminal Investigations (Actions)	30,000
Highway Fatalities per 100 Million Vehicle Miles of Travel (#)	0.90
Alcohol Impaired Driving Fatalities per 100,000 Population (#)	1.40
Driving Under the Influence (DUI) Arrests per 100,000 Population (#)	230
Percentage Increase in Seatbelt/Child Restraint Citations	13.00



166	Driver Services	
167	Driver's License/ID Cards Issued (Items)	622,720
168	Cost per License Document Produced (\$)	24.00
169	Drivers Suspended (Persons)	40,549
170	Accident Reports Processed (Actions)	2,018
171	Average Wait Time (Minutes)	56
172	Number of Complaints (Documented)	27
173	Percentage Change in Wait Time (%)	-10.00
174	Percentage Change in Complaints (%)	-18.00
175	Increase in Regular & Commercial Driver	
176	Licenses Issued (%)	10.00
177	Support Services	
178	Number of Financial Transactions Processed	35,500
179	Number of Employees Supported	1,188
180	Forensic Analysis	
181	Reports Issued (Cases)	17,000
182	Court Testimonies (Cases)	200
183	Cost per Case Analyzed (\$)	500.00
184	Cost per Testimony (\$)	500.00
185	Percentage of Days for Reports Issued	30.00
186	DNA Analysis	
187	Known Felony Offender Samples in	
188	Database (Items)	137,000
189	Proficiency Samples (Items)	434
190	Casework Samples Examined (Items)	9,500



191	Cost per Sample (\$)	450.00
192	Maintain the Integrity of the CODIS Database	99.00
193	Forensic Pathology	
194	Deaths Investigated (Actions)	24,250
195	Autopsies Performed SME Office (Actions)	1,200
196	Cost per Autopsy Performed (\$)	1,800.00
197	% Change in the # of Deaths Investigated	2.00
198	% of Coroners Educated by ME's Office	30.00
199	% Change in the # of Autopsies Performed	
200	at SME Office	-6.00
201	Training Academy	
202	Basic Students to Graduate (Persons)	320
203	Basic Refresher Students to Graduate	
204	(Persons)	70
205	In-Service & Advanced Students to	
206	Graduate (Persons)	2,600
207	Percentage of Law Enforcement Officers	
208	Trained (%)	100.00
209	Drug Enforcement	
210	Number of Drug Suspects Arrested (Persons)	1,050
211	Number of Drug Cases Prosecuted (Actions)	900
212	Number of Drug Organization Disrupted	
213	&/or Dismantled	8
214	Percentage Change in Number of Drug	
215	Suspects Arrested	1.00



216	Percentage Change in Number of Drug	
217	Cases Prosecuted	1.00
218	Percentage Change in Number of Drug	
219	Organization Disrupted and/or Dismantled	1.00
220	Jail Officer Training	
221	Jail and Youth Detention Officers Certified	350
222	Certification Transactions (Actions)	3,850
223	Number of Administrative Review Actions	20
224	Percent of Appointed Jail and Youth	
225	Detention Officers Obtaining	
226	Certification (%)	75.00
227	Percent of Administrative Review Actions	
228	Taken Within One Year (%)	4.00
229	Law Enforcement Training	
230	Basic Law Enforcement Officers Certified	
231	(Persons)	550
232	Certification Transactions (Actions)	2,750
233	Training Quality Monitoring (Actions)	1,100
234	Percent of Appointed Law Enforcement	
235	Officers Obtaining Certification (%)	90.00
236	Percent of Appointed Part-Time, Reserve,	
237	and Auxiliary Officers Obtaining	
238	Certification (%)	85.00
239	Percent of Administrative Disciplinary	
240	Actions Taken Within One Year (%)	4.00



241	Highway Safety	
242	Number of Federal Applications Funded &	
243	Statewide Programs Supported	8
244	% decrease in the number of unrestrained	
245	passenger vehicle occupant fatalities	
246	by 5%	2.00
247	% decrease in the number of fatalities	
248	in crashes involving a driver or	
249	motorcycle operator with a bac of .08	
250	and above	12.45
251	Justice	
252	Number of Juvenile Jail/Detention	
253	Alternatives (Alternatives)	0
254	Number of Hot Spots Policing Programs Funded	3
255	Emerg Telecommunications Tng	
256	Emergency Telecommunicators Certified	
257	(Persons)	500
258	Certification Transactions (Actions)	2,000
259	Percent of Appointed Emergency	
260	Telecommunicators Obtaining	
261	Certification	80.00
262	Percent of Appointed Emergency	
263	Telecommunicators Obtaining	
264	Recertification (%)	60.00
265	Percent of Administrative Review Actions	



266	Taken Within One Year (%)	3.00
267	Council On Aging	
268	Establish Triad Programs (Programs)	3
269	Conduct Training Programs (Programs)	1
270	Provide On-Site-Training	0
271	Percentage Change in the Number of	
272	Operational Triad Programs	10.00
273	Percentage Increase in Funding to	
274	Counties to Educate Senior Citizens	0.00
275	Juvenile Facility Monitoring Unit	
276	Number of Facilities Inspected (Items)	125
277	Strategic Plans Implemented (Items)	20
278	Percentage of Admin Review Actions Taken	
279	Within One Year	80.00
280	Homeland Security	
281	OHS Grants for Jurisdictions (Number)	107
282	First Responder Classes (Number)	118
283	Percentage increase in Emergency Task	
284	Force Responder Training and Exercises	
285	(%)	2.00
286	Percentage increase in Citizen and	
287	Community Preparedness Training and	
288	Exercises (%)	2.00
289	Percentage increase in Requests for	
290	Information (%)	2.00



Percentage increase in National Incident

Management Training and Exercises (%) 2.00

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 2023.

SECTION 13. It is the intention of the Legislature that all divisions within the Mississippi Department of Public Safety shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 14. Of the funds appropriated under the provisions of Section 2, funds may be expended to defray the costs of clothing for sworn nonuniform law enforcement officers in an amount not to exceed One Thousand Dollars (\$1,000.00) annually per officer.

SECTION 15. 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



316 stated in such received bids are equal with respect to price,
317 quality and service, the Mississippi Industries for the Blind
318 shall be given preference. A similar preference shall be given to
319 the Mississippi Industries for the Blind whenever purchases are
320 made without competitive bids.

321 **SECTION 16.** The department is authorized to expend available
322 funds on technology or equipment upgrades or replacements when it
323 will generate savings through efficiency or when the savings
324 generated from such upgrades or replacements exceed expenditures
325 thereof.

326 **SECTION 17.** Of the funds provided herein, and in addition to
327 the One Hundred Dollars (\$100.00) authorized in Section 45-3-7,
328 Mississippi Code of 1972, Department of Public Safety Officers who
329 are licensed commercial pilots shall receive an additional Nine
330 Hundred Dollars (\$900.00), for a total of One Thousand Dollars
331 (\$1,000.00), additional compensation for such service.

332 **SECTION 18.** It is the direction of the Legislature that all
333 Fair Labor Standards Act (FLSA) nonexempt sworn officers of the
334 Mississippi Highway Safety Patrol who are working one hundred
335 seventy-one (171) hours in a twenty-eight-day work cycle be
336 compensated based on the annual salary established by the State
337 Personnel Board for a one-hundred-sixty-hour per month schedule
338 divided by two thousand eighty-seven and one hundred forty-three
339 one thousandths (2,087.143), for an hourly rate, to be multiplied
340 by two thousand two hundred twenty-three (2,223) or one hundred



seventy-one (171) hours in a twenty-eight-day work cycle for a new annual salary. All hours worked over one hundred seventy-one (171) hours in a twenty-eight-day schedule shall be governed by the FLSA or other special compensation plan. All realignments after July 1, 2010, shall be calculated using this formula. This section shall be known as the "David R. Huggins Act."

SECTION 19. Of the funds appropriated in Sections 1 and 2, Four Hundred Ninety-five Thousand One Hundred Ninety Dollars (\$495,190.00) is appropriated out of any funds in the State Treasury to the credit of the Department of Public Safety for the purposes of paying for eleven (11) hours of compensatory time at an hourly rate based on two thousand eighty-seven and one hundred forty-three one thousandths (2,087.143) hours per year for sworn officers who hold the rank of Lieutenant and above. The funds provided in this section to pay for the eleven (11) hours authorized in this section shall be expended only for this purpose.

SECTION 20. It is the intention of the Legislature that the Department of Public Safety shall provide an annual report to the Mississippi Legislature detailing any elected official or any other person who is not an employee of the Department of Public Safety who was transported in Highway Patrol aircraft during the fiscal year. The report shall be provided to each member of the Mississippi Legislature on or before January 15, 2022.



365 **SECTION 21.** The Commissioner of Public Safety shall have the
366 authority to transfer any funds from any division within the
367 Department of Public Safety to any other division of the
368 Department of Public Safety Special Funds, including, but not
369 limited to, Funds 3711, 371C, 371E, 3713, 3714, 3715, 3740, 3741,
370 3742, 3744, 3747 and 3718, not to exceed Twenty Million Dollars
371 (\$20,000,000.00) collectively during Fiscal Year 2022. However,
372 none of the funds appropriated by this act shall be expended
373 unless the Department of Public Safety provides prior written
374 notification of any transfer of funds provided in this section.

375 **SECTION 22.** The Bureau of Narcotics is authorized to expend
376 a sum, not to exceed Five Hundred Thousand Dollars (\$500,000.00)
377 from account No. 3371800000, for purposes of effectuating the
378 provisions of House Bill 812, 2017 Regular Session, Section 1.
379 Expenditures authorized by this section may include, but not be
380 limited to, costs associated with contracting with one or more
381 vendors, contractors or other persons or entities to create,
382 operate and maintain the forfeiture website and to provide
383 continuing support in relation thereto. In the event an amount
384 less than Five Hundred Thousand (\$500,000.00) is required to
385 effectuate the purposes of this section, the Bureau is authorized
386 to expend the remainder of such authorized funds for the purchase
387 of commodities, vehicles and/or other equipment necessary in the
388 furtherance of the needs of the Bureau.



389 **SECTION 23.** Of the funds appropriated in Section 1, it is
390 the intention of the Legislature that Four Million Three Hundred
391 Twelve Thousand Six Hundred Two Dollars (\$4,312,602.00) may be
392 allocated for the programs supported from General Fund court
393 assessments as follows:

394 State Crime Stoppers Fund.....\$ 99,003.00.

395 Adult Driver Training.....\$ 75,794.00.

396 Information Exchange Network Fund.....\$ 264,007.00.

397 Forensics Lab MS - MS Forensics Lab - Implied Consent Law
398 Fund.....\$ 404,795.00.

399 Forensics Lab Forensics Laboratory - DNA Identification
400 Fund.....\$ 629,543.00.

401 Law Enforcement and Firefighters Death Benefits Trust
402 Fund.....\$ 191,361.00.

403 Law Enforcement Standards Training - Law Enforcement Officers
404 Training Fund.....\$ 2,276,404.00.

405 Drug Abuse/Driver's License Reinstatement.\$ 13,573.00.

406 Federal - State Alcohol Program Fund.....\$ 160,431.00.

407 MS Leadership Council on Aging Fund.....\$ 197,691.00.

408 **SECTION 24.** It is the intention of the Legislature that the
409 Mississippi Bureau of Narcotics, Mississippi Department of Public
410 Safety, shall have the authority to receive, budget and expend
411 special funds from the Drug Evidence Disposition Funds
412 (3372000000), not to exceed Five Hundred Thousand Dollars
413 (\$500,000.00).



414 **SECTION 25.** Of the funds appropriated by this act, pursuant
415 to House Bill No 571, 2019 Regular Session, Two Hundred Fifty
416 Thousand Dollars (\$250,000.00) is provided for the duties and
417 operations of a Statewide Human Trafficking Coordinator and a data
418 analyst within the Bureau of Investigation in the Department of
419 Public Safety, who shall coordinate all statewide activities and
420 work with the Department of Child Protection Services for all
421 victims recovered.

422 **SECTION 26.** Of the funds appropriated by this act, pursuant
423 to House Bill 1283, 2019 Regular Session, Two Hundred Forty-two
424 Thousand Six Hundred Three dollars (\$242,603.00) is provided for
425 the duties and operations associated with the Mississippi School
426 Safety Act of 2019.

427 **SECTION 27.** Of the funds appropriated under the provisions
428 of Section 2, One Million Five Hundred Thousand Dollars
429 (\$1,500,000.00), or so much thereof, shall be derived out of any
430 money in the State Treasury to the credit of the Capital Expense
431 Fund, as created in Section 27-103-303, Mississippi Code of 1972,
432 and allocated in a manner as determined by the State Treasurer.
433 These funds are provided for repairs and renovations at the
434 Department of Public Safety Mississippi Law Enforcement Officers
435 Training Academy.

436 **SECTION 28.** Of the funds appropriated under the provisions
437 of Section 2, One Hundred Thousand Dollars (\$100,000.00), or so
438 much thereof, shall be derived out of any money in the State



439 Treasury to the credit of the Capital Expense Fund, as created in
440 Section 27-103-303, Mississippi Code of 1972, and allocated in a
441 manner as determined by the State Treasurer. These funds are
442 provided for Bullet Proof Vests at the Department of Public
443 Safety.

444 **SECTION 29.** The money herein appropriated shall be paid by
445 the State Treasurer out of any money in the State Treasury to the
446 credit of the proper fund or funds as set forth in this act, upon
447 warrants issued by the State Fiscal Officer; and the State Fiscal
448 Officer shall issue his warrants upon requisitions signed by the
449 proper person, officer or officers, in the manner provided by law.

450 **SECTION 30.** This act shall take effect and be in force from
451 and after July 1, 2021.

