

House Amendments to Senate Bill No. 2916

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 of money, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Department of Public Safety for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....\$ 88,162,874.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Department of Public Safety for the purpose of defraying the expenses incurred in the operation of the various divisions of the department for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....\$ 100,036,467.00.

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

AUTHORIZED POSITIONS:

Permanent:	Full Time.....	1,194
	Part Time.....	0
Time-Limited:	Full Time.....	76

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 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 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. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. 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 2022 appropriations for "Personal Services" when annualized, with the exception of 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 **SECTION 4.** The Commissioner of Public Safety may, on a
73 case-by-case basis, within funds available, recommend that
74 corrective salary adjustments be made to the compensation of
75 employees of the Department of Public Safety where an inequity was
76 created between employees of equivalent capacity by previous
77 application of the agency appropriation acts. Any such corrective
78 salary adjustment plan must have prior approval by the State
79 Personnel Board. Such adjustments will not be retroactive.

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

83 **SECTION 5.** It is the intent of the Legislature that the
84 local governments pay for part of the computer cost of the
85 Mississippi Justice Information Center by maintaining their
86 contribution to the Department of Public Safety.

87 **SECTION 6.** It is the intention of the Legislature that the
88 Department of Public Safety designate certain employees to aid the
89 Office of Forensics Laboratories in the billing and collecting of
90 all fees charged for services rendered by the Office of Forensics
91 Laboratories.

92 **SECTION 7.** No part of the funds appropriated herein shall be
93 transferred to, expended by, or used, directly or indirectly, for
94 the benefit of any public relations, publicity or publication
95 activities of any other state agency, department or officer, nor
96 shall any personnel paid with funds appropriated herein be
97 transferred or assigned to any other state agency, department or

98 officer for public relations, publicity, or publication activities
99 of such office.

100 **SECTION 8.** It is the intention of the Legislature that the
101 Department of Public Safety shall not issue citations for
102 violations of speed limits on a quota basis. No funds expended
103 under this act shall be used for such quota-based citations for
104 violations of speed limits.

105 **SECTION 9.** In compliance with the "Mississippi Performance
106 Budget and Strategic Planning Act of 1994," it is the intent of
107 the Legislature that the funds provided herein shall be utilized
108 in the most efficient and effective manner possible to achieve the
109 intended mission of this agency. Based on the funding authorized,
110 this agency shall make every effort to attain the targeted
111 performance measures provided below:

112		FY2022
113	<u>Performance Measures</u>	<u>Target</u>
114	Enforcement	
115	Increased Enforcement - Citations (%)	6.30
116	Decrease Fatalities (%)	4.10
117	Increase in DUI Arrests (Includes Felony	
118	DUI) (%)	5.00
119	Criminal Investigations (Actions)	30,000
120	Highway Fatalities per 100 Million	
121	Vehicle Miles of Travel (#)	0.90
122	Alcohol Impaired Driving Fatalities per	
123	100,000 Population (#)	1.40

124	Driving Under the Influence (DUI)	
125	Arrests per 100,000 Population (#)	230
126	Percentage Increase in Seatbelt/Child	
127	Restraint Citations	13.00
128	Driver Services	
129	Driver's License/ID Cards Issued (Items)	622,720
130	Cost per License Document Produced (\$)	24.00
131	Drivers Suspended (Persons)	40,549
132	Accident Reports Processed (Actions)	2,018
133	Average Wait Time (Minutes)	56
134	Number of Complaints (Documented)	27
135	Percentage Change in Wait Time (%)	-10.00
136	Percentage Change in Complaints (%)	-18.00
137	Increase in Regular & Commercial Driver	
138	Licenses Issued (%)	10.00
139	Support Services	
140	Number of Financial Transactions Processed	35,500
141	Number of Employees Supported	1,188
142	Forensic Analysis	
143	Reports Issued (Cases)	17,000
144	Court Testimonies (Cases)	200
145	Cost per Case Analyzed (\$)	500.00
146	Cost per Testimony (\$)	500.00
147	Percentage of Days for Reports Issued	30.00
148	Dna Analysis	
149	Known Felony Offender Samples in	

150	Database (Items)	137,000
151	Proficiency Samples (Items)	434
152	Casework Samples Examined (Items)	9500
153	Cost per Sample (\$)	450.00
154	Maintain the Integrity of the CODIS Database	99.00
155	Forensic Pathology	
156	Deaths Investigated (Actions)	24,250
157	Autopsies Performed SME Office (Actions)	1,200
158	Cost per Autopsy Performed (\$)	1,800.00
159	% Change in the # of Deaths Investigated	2.00
160	% of Coroners Educated by ME's Office	30.00
161	% Change in the # of Autopsies Performed	
162	at SME Office	-6.00
163	Training Academy	
164	Basic Students to Graduate (Persons)	320
165	Basic Refresher Students to Graduate	
166	(Persons)	70
167	In-Service & Advanced Students to	
168	Graduate (Persons)	2,600
169	Percentage of Law Enforcement Officers	
170	Trained (%)	100.00
171	Drug Enforcement	
172	Number of Drug Suspects Arrested (Persons)	1,050
173	Number of Drug Cases Prosecuted (Actions)	900
174	Number of Drug Organization Disrupted	
175	&/or Dismantled	8

176	Percentage Change in Number of Drug	
177	Suspects Arrested	1.00
178	Percentage Change in Number of Drug	
179	Cases Prosecuted	1.00
180	Percentage Change in Number of Drug	
181	Organization Disrupted and/or Dismantled	1.00
182	Jail Officer Training	
183	Jail and Youth Detention Officers Certified	350
184	Certification Transactions (Actions)	3,850
185	Number of Administrative Review Actions	20
186	Percent of Appointed Jail and Youth	
187	Detention Officers Obtaining	
188	Certification (%)	75.00
189	Percent of Administrative Review Actions	
190	Taken Within One Year (%)	4.00
191	Law Enforcement Training	
192	Basic Law Enforcement Officers Certified	
193	(Persons)	550
194	Certification Transactions (Actions)	2,750
195	Training Quality Monitoring (Actions)	1,100
196	Percent of Appointed Law Enforcement	
197	Officers Obtaining Certification (%)	90.00
198	Percent of Appointed Part-Time, Reserve,	
199	and Auxiliary Officers Obtaining	
200	Certification (%)	85.00
201	Percent of Administrative Disciplinary	

202	Actions Taken Within One Year (%)	4.00
203	Highway Safety	
204	Number of Federal Applications Funded &	
205	Statewide Programs Supported	8
206	% decrease in the number of unrestrained	
207	passenger vehicle occupant fatalities	
208	by 5%	2.00
209	% decrease in the number of fatalities	
210	in crashes involving a driver or	
211	motorcycle operator with a bac of .08	
212	and above	12.45
213	Justice	
214	Number of Juvenile Jail/Detention	
215	Alternatives (Alternatives)	0.00
216	Number of Hot Spots Policing Programs Funded	3
217	Emerg Telecommunications Tng	
218	Emergency Telecommunicators Certified	
219	(Persons)	500
220	Certification Transactions (Actions)	2,000
221	Percent of Appointed Emergency	
222	Telecommunicators Obtaining	
223	Certification	80.00
224	Percent of Appointed Emergency	
225	Telecommunicators Obtaining	
226	Recertification (%)	60.00
227	Percent of Administrative Review Actions	

228	Taken Within One Year (%)	3.00
229	Council On Aging	
230	Establish Triad Programs (Programs)	3
231	Conduct Training Programs (Programs)	1
232	Provide On-Site-Training	0
233	Percentage Change in the Number of	
234	Operational Triad Programs	10.00
235	Percentage Increase in Funding to	
236	Counties to Educate Senior Citizens	0.00
237	Juvenile Facility Monitoring Unit	
238	Number of Facilities Inspected (Items)	125
239	Strategic Plans Implemented (Items)	20
240	Percentage of Admin Review Actions Taken	
241	Within One Year	80.00
242	Homeland Security	
243	OHS Grants for Jurisdictions (Number)	107
244	First Responder Classes (Number)	118
245	Percentage increase in Emergency Task	
246	Force Responder Training and Exercises	
247	(%)	2.00
248	Percentage increase in Citizen and	
249	Community Preparedness Training and	
250	Exercises (%)	2.00
251	Percentage increase in Requests for	
252	Information (%)	2.00
253	Percentage increase in National Incident	

254 Management Training and Exercises (%) 2.00

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

259 **SECTION 10.** It is the intention of the Legislature that all
260 divisions within the Mississippi Department of Public Safety shall
261 maintain complete accounting and personnel records related to the
262 expenditure of all funds appropriated under this act and that such
263 records shall be in the same format and level of detail as
264 maintained for Fiscal Year 2021. It is further the intention of
265 the Legislature that the agency's budget request for Fiscal Year
266 2023 shall be submitted to the Joint Legislative Budget Committee
267 in a format and level of detail comparable to the format and level
268 of detail provided during the Fiscal Year 2022 budget request
269 process.

270 **SECTION 11.** Of the funds appropriated under the provisions
271 of Section 2, funds may be expended to defray the costs of
272 clothing for sworn nonuniform law enforcement officers in an
273 amount not to exceed One Thousand Dollars (\$1,000.00) annually per
274 officer.

275 **SECTION 12.** It is the intention of the Legislature that
276 whenever two (2) or more bids are received by this agency for the
277 purchase of commodities or equipment, and whenever all things
278 stated in such received bids are equal with respect to price,
279 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 department is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 14. Of the funds provided herein, and in addition to the One Hundred Dollars (\$100.00) authorized in Section 45-3-7, Mississippi Code of 1972, Department of Public Safety Officers who are licensed commercial pilots shall receive an additional Nine Hundred Dollars (\$900.00), for a total of One Thousand Dollars (\$1,000.00), additional compensation for such service.

SECTION 15. It is the direction of the Legislature that all Fair Labor Standards Act (FLSA) nonexempt sworn officers of the Mississippi Highway Safety Patrol who are working one hundred seventy-one (171) hours in a twenty-eight-day work cycle be compensated based on the annual salary established by the State Personnel Board for a one-hundred-sixty-hour per month schedule divided by two thousand eighty-seven and one hundred forty-three one thousandths (2,087.143), for an hourly rate, to be multiplied 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 16. 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 17. 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.

SECTION 18. The Commissioner of Public Safety shall have the authority to transfer any funds from any division within the Department of Public Safety to any other division of the Department of Public Safety Special Funds, including, but not limited to, Funds 3711, 371C, 371E, 3713, 3714, 3715, 3740, 3741,

3742, 3744, 3747 and 3718, not to exceed Twenty Million Dollars (\$20,000,000.00) collectively during Fiscal Year 2022. However, none of the funds appropriated by this act shall be expended unless the Department of Public Safety provides prior written notification of any transfer of funds provided in this section.

SECTION 19. The Bureau of Narcotics is authorized to expend a sum, not to exceed Five Hundred Thousand Dollars (\$500,000.00) from account No. 3371800000, for purposes of effectuating the provisions of House Bill 812, 2017 Regular Session, Section 1. Expenditures authorized by this section may include, but not be limited to, costs associated with contracting with one or more vendors, contractors or other persons or entities to create, operate and maintain the forfeiture website and to provide continuing support in relation thereto. In the event an amount less than Five Hundred Thousand (\$500,000.00) is required to effectuate the purposes of this section, the Bureau is authorized to expend the remainder of such authorized funds for the purchase of commodities, vehicles and/or other equipment necessary in the furtherance of the needs of the Bureau.

SECTION 20. Of the funds appropriated in Section 1, it is the intention of the Legislature that Four Million Three Hundred Twelve Thousand Six Hundred Two Dollars (\$4,312,602.00) may be allocated for the programs supported from General Fund court assessments as follows:

State Crime Stoppers Fund.....	\$	99,003.00.
Adult Driver Training.....	\$	75,794.00.

358	Information Exchange Network Fund.....\$	264,007.00.
359	Forensics Lab MS Implied Consent Law	
360	Fund.....\$	404,795.00.
361	Forensics Lab MS - DNA Identification	
362	Fund.....\$	629,543.00.
363	Law Enforcement and Firefighters Death Benefits Trust	
364	Fund.....\$	191,361.00.
365	Law Enforcement Standards Training - Law Enforcement Officers	
366	Training Fund.....\$	2,276,404.00.
367	Drug Abuse/Driver's License Reinstatement.\$	13,573.00.
368	Federal - State Alcohol Program Fund.....\$	160,431.00.
369	MS Leadership Council on Aging Fund.....\$	197,691.00.

370 **SECTION 21.** It is the intention of the Legislature that the
371 Mississippi Bureau of Narcotics in the Mississippi Department of
372 Public Safety, shall have the authority to receive, budget and
373 expend special funds from the Drug Evidence Disposition Funds
374 (3372000000), not to exceed Five Hundred Thousand Dollars
375 (\$500,000.00).

376 **SECTION 22.** Of the funds appropriated by this act, pursuant
377 to House Bill No 571, 2019 Regular Session, Two Hundred Fifty
378 Thousand Dollars (\$250,000.00) is provided for the duties and
379 operations of a Statewide Human Trafficking Coordinator and a data
380 analyst within the Bureau of Investigation in the Department of
381 Public Safety, who shall coordinate all statewide activities and
382 work with the Department of Child Protection Services for all
383 victims recovered.

384 **SECTION 23.** The money herein appropriated shall be paid by
385 the State Treasurer out of any money in the State Treasury to the
386 credit of the proper fund or funds as set forth in this act, upon
387 warrants issued by the State Fiscal Officer; and the State Fiscal
388 Officer shall issue his warrants upon requisitions signed by the
389 proper person, officer or officers, in the manner provided by law.

390 **SECTION 24.** This act shall take effect and be in force from
391 and after July 1, 2021, and shall stand repealed from and after
392 June 29, 2021.

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

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

HR13\SB2916A.J

Andrew Ketchings
Clerk of the House of Representatives