

House Amendments to Senate Bill No. 2948

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:

4 **SECTION 1.** The following sum, or so much thereof as may be
5 necessary, is hereby appropriated out of any money in the State
6 General Fund not otherwise appropriated, to defray the expenses of
7 the Department of Finance and Administration for the fiscal year
8 beginning July 1, 2021, and ending June 30, 2022.....
9\$ 38,267,034.00.

10 **SECTION 2.** The following sum, or so much thereof as may be
11 necessary, is hereby appropriated out of any money in the State
12 Treasury to the credit of the Department of Finance and
13 Administration for the purpose of defraying the expenses incurred
14 in the operation of the various offices of the department for the
15 fiscal year beginning July 1, 2021, and ending June 30, 2022.....
16\$ 30,911,236.00.

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

19 **AUTHORIZED POSITIONS:**

20 Permanent: Full Time..... 468

| | | |
|----|------------------------------|---|
| 21 | Part Time..... | 2 |
| 22 | Time-Limited: Full Time..... | 0 |
| 23 | Part Time..... | 0 |

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

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

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

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

70 None of the funds herein appropriated shall be used in
71 violation of Internal Revenue Service's Publication 15-A relating

72 to the reporting of income paid to contract employees, as
73 interpreted by the Office of the State Auditor.

74 **SECTION 4.** In addition to all other sums herein
75 appropriated, the following sum, or so much thereof as may be
76 necessary, is hereby appropriated out of any money in the Tort
77 Claims Trust Fund not otherwise appropriated, for the purpose of
78 defraying the expenses of the Tort Claims Board in the
79 administration of the Tort Claims Act for the fiscal year
80 beginning July 1, 2021, and ending June 30, 2022.....
81\$ 6,549,647.00.

82 **SECTION 5.** Of the funds appropriated under the provisions of
83 this act, the following positions are authorized:

84 AUTHORIZED POSITIONS:

| | | | |
|----|---------------|----------------|---|
| 85 | Permanent: | Full Time..... | 8 |
| 86 | | Part Time..... | 0 |
| 87 | Time-Limited: | Full Time..... | 0 |
| 88 | | Part Time..... | 0 |

89 With the funds herein appropriated, it shall be the agency's
90 responsibility to make certain that funds required to be
91 appropriated for "Personal Services" for Fiscal Year 2023 do not
92 exceed Fiscal Year 2022 funds appropriated for that purpose unless
93 programs or positions are added to the agency's Fiscal Year 2022
94 budget by the Mississippi Legislature. Based on data provided by
95 the Legislative Budget Office, the State Personnel Board shall
96 determine and publish the projected annual cost to fully fund all
97 appropriated positions in compliance with the provisions of this

98 act. Absent a special situation or circumstance approved by the
99 State Personnel Board, or unless otherwise authorized by this act,
100 no state agency shall take any action to promote or otherwise
101 award salary increases through reallocation or realignment. If
102 the State Personnel Board determines a special situation or
103 circumstance exists and approves an action, then the agency and
104 the State Personnel Board shall provide a monthly report of each
105 action approved by the State Personnel Board to the chairmen of
106 the Accountability, Efficiency and Transparency Committees of the
107 Senate and House of Representatives and the chairmen of the
108 Appropriations Committees of the Senate and House of
109 Representatives. It shall be the responsibility of the agency
110 head to ensure that no single personnel action increases this
111 projected annual cost and/or the Fiscal Year 2022 appropriations
112 for "Personal Services" when annualized, with the exception of
113 escalated funds and the award of benchmarks. If, at the time the
114 agency takes any action to change "Personal Services," the State
115 Personnel Board determines that the agency has taken an action
116 which would cause the agency to exceed this projected annual cost
117 or the Fiscal Year 2022 "Personal Services" appropriated level,
118 when annualized, then only those actions which reduce the
119 projected annual cost and/or the appropriation requirement will be
120 processed by the State Personnel Board until such time as the
121 requirements of this provision are met.

122 Any transfers or escalations shall be made in accordance with
123 the terms, conditions and procedures established by law or

124 allowable under the terms set forth within this act. The State
125 Personnel Board shall not escalate positions without written
126 approval from the Department of Finance and Administration. The
127 Department of Finance and Administration shall not provide written
128 approval to escalate any funds for salaries and/or positions
129 without proof of availability of new or additional funds above the
130 appropriated level.

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

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

139 **SECTION 6.** In addition to all other sums herein
140 appropriated, the following sum, or so much thereof as may be
141 necessary, is hereby appropriated out of any money in the State
142 General Fund not otherwise appropriated, for the purpose of
143 defraying the expenses of the Mississippi Commission on the Status
144 of Women for the fiscal year beginning July 1, 2021, and ending
145 June 30, 2022.....\$ 39,995.00.

146 **SECTION 7.** In addition to all other sums herein
147 appropriated, the following sum, or so much thereof as may be
148 necessary, is hereby appropriated out of any money in the State
149 Treasury to the credit of the Mississippi Commission on the Status

150 of Women for the purpose of defraying the expenses of the
151 commission for the fiscal year beginning July 1, 2021, and ending
152 June 30, 2022.....\$ 7,265.00.

153 This appropriation is made for the purpose of providing funds
154 to defray the expense of the Mississippi Commission on the Status
155 of Women as established pursuant to Sections 43-59-1 through
156 43-59-14, Mississippi Code of 1972.

157 **SECTION 8.** Of the funds appropriated under the provisions of
158 Sections 6 and 7, the following positions are authorized:

159 AUTHORIZED POSITIONS:

| | | | |
|-----|---------------|----------------|---|
| 160 | Permanent: | Full Time..... | 1 |
| 161 | | Part Time..... | 0 |
| 162 | Time-Limited: | Full Time..... | 0 |
| 163 | | Part Time..... | 0 |

164 With the funds herein appropriated, it shall be the agency's
165 responsibility to make certain that funds required to be
166 appropriated for "Personal Services" for Fiscal Year 2023 do not
167 exceed Fiscal Year 2022 funds appropriated for that purpose unless
168 programs or positions are added to the agency's Fiscal Year 2022
169 budget by the Mississippi Legislature. Based on data provided by
170 the Legislative Budget Office, the State Personnel Board shall
171 determine and publish the projected annual cost to fully fund all
172 appropriated positions in compliance with the provisions of this
173 act. Absent a special situation or circumstance approved by the
174 State Personnel Board, or unless otherwise authorized by this act,
175 no state agency shall take any action to promote or otherwise

176 award salary increases through reallocation or realignment. If
177 the State Personnel Board determines a special situation or
178 circumstance exists and approves an action, then the agency and
179 the State Personnel Board shall provide a monthly report of each
180 action approved by the State Personnel Board to the chairmen of
181 the Accountability, Efficiency and Transparency Committees of the
182 Senate and House of Representatives and the chairmen of the
183 Appropriations Committees of the Senate and House of
184 Representatives. It shall be the responsibility of the agency
185 head to ensure that no single personnel action increases this
186 projected annual cost and/or the Fiscal Year 2022 appropriations
187 for "Personal Services" when annualized, with the exception of
188 escalated funds and the award of benchmarks. If, at the time the
189 agency takes any action to change "Personal Services," the State
190 Personnel Board determines that the agency has taken an action
191 which would cause the agency to exceed this projected annual cost
192 or the Fiscal Year 2022 "Personal Services" appropriated level,
193 when annualized, then only those actions which reduce the
194 projected annual cost and/or the appropriation requirement will be
195 processed by the State Personnel Board until such time as the
196 requirements of this provision are met.

197 Any transfers or escalations shall be made in accordance with
198 the terms, conditions and procedures established by law or
199 allowable under the terms set forth within this act. The State
200 Personnel Board shall not escalate positions without written
201 approval from the Department of Finance and Administration. The

202 Department of Finance and Administration shall not provide written
203 approval to escalate any funds for salaries and/or positions
204 without proof of availability of new or additional funds above the
205 appropriated level.

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

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

214 **SECTION 9.** It is the intention of the Legislature that the
215 Department of Finance and Administration shall maintain complete
216 accounting and personnel records related to the expenditure of all
217 funds appropriated under this act and that such records shall be
218 in the same format and level of detail as maintained for Fiscal
219 Year 2021. It is further the intention of the Legislature that
220 the agency's budget request for Fiscal Year 2023 shall be
221 submitted to the Joint Legislative Budget Committee in a format
222 and level of detail comparable to the format and level of detail
223 provided during the Fiscal Year 2022 budget request process.

224 **SECTION 10.** The department is authorized to expend available
225 funds on technology or equipment upgrades or replacements when it
226 will generate savings through efficiency or when the savings

227 generated from such upgrades or replacements exceed expenditures
228 thereof.

229 **SECTION 11.** It is the intention of the Legislature that
230 whenever two (2) or more bids are received by this agency for the
231 purchase of commodities or equipment, and whenever all things
232 stated in such received bids are equal with respect to price,
233 quality and service, the Mississippi Industries for the Blind
234 shall be given preference. A similar preference shall be given to
235 the Mississippi Industries for the Blind whenever purchases are
236 made without competitive bids.

237 **SECTION 12.** Of the funds appropriated in Section 1, an
238 amount not to exceed Four Hundred Thousand Dollars (\$400,000.00)
239 and ten (10) positions are provided in order to provide the
240 required Police Protection services for such governmental
241 organizations, under the rules and regulations of the Department
242 of Finance and Administration.

243 **SECTION 13.** The Bureau of Building, Grounds and Real
244 Property Management of the Office of General Services is hereby
245 expressly authorized and empowered to receive, budget and expend
246 any state, local or other source funds designated for supplemental
247 funding of construction and/or repairs and renovation projects.
248 The Bureau of Building, Grounds and Real Property Management of
249 the Office of General Services shall not use any of the funds
250 authorized in this section to pay salaries. For the purposes of
251 this section, the Bureau of Building, Grounds and Real Property
252 Management of the Office of General Services does not have the

253 authority to escalate from the Capital Expense Fund or the Working
254 Cash-Stabilization Reserve Fund.

255 **SECTION 14.** Of the funds appropriated in Section 2, it is
256 the intention of the Legislature that an amount not to exceed Four
257 Million Five Hundred Thousand Dollars (\$4,500,000.00) is
258 authorized to be expended for the purpose of transferring funds to
259 the Bureau of Building, Grounds and Real Property Management for
260 the administration of projects for the repair and maintenance of
261 state-owned buildings.

262 **SECTION 15.** A report based on expenditures incurred during
263 the current and immediate past fiscal years shall be provided to
264 the Legislative Budget Office each regularly scheduled legislative
265 session. This report should reflect expenditures as a result of
266 the operation of the Robert E. Lee Building, the Woolfolk State
267 Office Building, the Gartin and Sillers Buildings, the Capitol
268 Buildings, the Central High School Building, the Robert G. Clark,
269 Jr. Building and other state buildings, and this report should
270 contain any steps taken to reduce operating costs.

271 **SECTION 16.** It is the intention of the Legislature that no
272 state-owned aircraft shall be utilized by any person except for
273 official business only.

274 **SECTION 17.** Of the funds appropriated in Section 2, an
275 amount not to exceed One Hundred Thousand Dollars (\$100,000.00) is
276 authorized to be expended to defray any shortfall in the Master
277 Lease Purchase Program as defined in Section 31-7-10, Mississippi
278 Code of 1972.

279 **SECTION 18.** In addition to all other sums herein
280 appropriated, the following sum, or so much thereof as may be
281 necessary, is appropriated out of any money in the State General
282 Fund for the purpose of defraying the expenses of State Property
283 Insurance for the fiscal year beginning July 1, 2021, and ending
284 June 30, 2022.....\$ 10,330,004.00.

285 **SECTION 19.** Of the funds herein appropriated, it is the
286 intention of the Legislature that two (2) of the allotted
287 Full-Time Permanent Positions in Section 3 of this bill may be
288 used for performing related administrative duties of the State
289 Property Insurance program.

290 **SECTION 20.** In addition to all other sums herein
291 appropriated, the following sum, or so much thereof as may be
292 necessary, is appropriated out of any money in the State General
293 Fund not otherwise appropriated, to the Department of Finance and
294 Administration for the purpose of providing a grant to the
295 Mississippi Home Corporation, for the fiscal year beginning
296 July 1, 2021, and ending June 30, 2022.....\$ 1,410,227.00.

297 **SECTION 21.** The funds appropriated herein shall be targeted
298 to individuals with disabilities or individuals with serious
299 mental illnesses who:

- 300 (1) Are being discharged from a state psychiatric hospital
301 after a stay of more than ninety (90) days; or, nursing facility,
302 or intermediate care facility for individuals with intellectual
303 disabilities after a stay of more than ninety (90) days; or

304 (2) Have been discharged from a state psychiatric hospital
305 within the last two (2) years; and

306 (a) Had multiple hospital visits in the last year due
307 to mental illness; or

308 (b) Are known to the mental health or state-housing
309 agency to have been arrested or incarcerated in the last year due
310 to conduct related to mental illness; or

311 (c) Are known to the mental health or state-housing
312 agency to have been homeless for one (1) full year or have had
313 four (4) or more episodes of homelessness in the last three (3)
314 years.

315 (3) Lack a fixed, regular, and adequate nighttime residence
316 and includes a subset for an individual who is exiting an
317 institution where he or she resided for ninety (90) days or less
318 and who resides in an emergency shelter or a place not meant for
319 human habitation immediately before entering that institution.

320 Any funds appropriated herein to hire additional staff or
321 employ staff shall only be used to implement this housing program.

322 **SECTION 22.** It is the intention of the Legislature that an
323 annual financial report based upon the state's fiscal year shall
324 be provided to the Attorney General, the Chairman of Senate
325 Appropriations, the Chairman of House Appropriations, and the
326 Legislative Budget Office.

327 **SECTION 23.** It is the intention of the Legislature that none
328 of the funds appropriated under the provisions of this act for the
329 Mississippi Home Corporation (MHC) shall be expended for the

330 purpose of making a payment of any kind or for any purpose,
331 directly or indirectly, to a member of the State of Mississippi
332 Legislature, state official, MHC board member, or person who has
333 been a member of the MHC within the last year.

334 **SECTION 24.** Of the funds appropriated in Section 2, Twelve
335 Million Dollars (\$12,000,000.00) shall be expended from the
336 Capitol Complex Improvement District Project Fund, as established
337 in Section 29-5-215, Mississippi Code of 1972.

338 **SECTION 25.** Of the funds appropriated under the provisions
339 of this act, the department is authorized to enter into a contract
340 for use by state agencies to establish a pilot program for Fleet
341 Management Services, to include vehicle leasing and disposal,
342 without being subject to the provisions of law otherwise
343 applicable to fleet management.

344 **SECTION 26.** It is the intention of the Legislature that the
345 funds herein appropriated shall be expended in compliance with
346 Section 27-104-25, Mississippi Code of 1972, that no state agency
347 shall incur obligations or indebtedness in excess of their
348 appropriation and that the responsible officers, either personally
349 or upon their official bonds, shall be held responsible for
350 actions contrary to this provision.

351 **SECTION 27.** The money herein appropriated shall be paid by
352 the State Treasurer out of any money in the State Treasury to the
353 credit of the proper fund or funds as set forth in this act, upon
354 warrants issued by the State Fiscal Officer; and the State Fiscal

355 Officer shall issue his warrants upon requisitions signed by the
356 proper person, officer or officers, in the manner provided by law.

357 **SECTION 28.** This act shall take effect and be in force from
358 and after July 1, 2021, and shall stand repealed from and after
359 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 FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2022.

HR13\SB2948A.J

Andrew Ketchings
Clerk of the House of Representatives