

House Amendments to Senate Bill No. 2953

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, for the support and
7 maintenance of the Secretary of State for the fiscal year
8 beginning July 1, 2021, and ending June 30, 2022.....
9\$ 11,294,708.00.

10 **SECTION 2.** The following sum, or so much thereof as may be
11 necessary, is hereby authorized for expenditure out of any special
12 source funds which are collected by or otherwise become available
13 for the purpose of defraying the expenses of the Secretary of
14 State for the fiscal year beginning July 1, 2021, and ending
15 June 30, 2022.....\$ 14,990,000.00.

16 **SECTION 3.** Of the funds appropriated under the provisions of
17 Section 1, the following positions are authorized:

18 AUTHORIZED POSITIONS:

19	Permanent:	Full Time.....	94
20		Part Time.....	0

21	Time-Limited: Full Time.....	12
22	Part Time.....	0

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

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

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

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

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

73 **SECTION 4.** None of the funds appropriated by this act shall
74 be expended for any purpose that is not actually required or
75 necessary for performing any of the powers or duties of the Office
76 of the Secretary of State that are authorized by the Mississippi
77 Constitution of 1890, state or federal law, or rules or
78 regulations that implement state or federal law.

79 **SECTION 5.** No part of the funds appropriated herein shall be
80 used, either directly or indirectly, for the purpose of paying any
81 clerk, stenographer, assistant, deputy, or other person who may be
82 related by blood or marriage within the third degree, computed by
83 the rules of the civil law, to the official employing or having
84 the right of employment or selection thereof; and in the event of
85 any such payment, then the official or person approving and making
86 or receiving such payment shall be jointly and severally liable to
87 return to the State of Mississippi and to pay into the State
88 Treasury three (3) times any such amount so paid or received, to
89 be recovered at suit of the Attorney General; provided that when
90 the relationship is by affinity and the person through whom the
91 relationship was established is dead, this provision shall not
92 apply.

93 **SECTION 6.** Of the funds appropriated in Section 1, the
94 Secretary of State may use funds appropriated for the purposes of
95 defraying litigation expenses associated with the enforcement of
96 the Mississippi Securities Act, the Regulation of Charitable
97 Solicitations Act, and the administration of the Public Trust.

98 **SECTION 7.** In compliance with the "Mississippi Performance
 99 Budget and Strategic Planning Act of 1994," it is the intent of
 100 the Legislature that the funds provided herein shall be utilized
 101 in the most efficient and effective manner possible to achieve the
 102 intended mission of this agency. Based on the funding authorized,
 103 this agency shall make every effort to attain the targeted
 104 performance measures provided below:

	FY2022
<u>Performance Measures</u>	<u>Target</u>
107 Business Services	
108 Answer at Least 95% of Business Services	
109 Customer Phone Calls	95.00
110 Elections	
111 Poll Workers to Successfully Complete	
112 the Online Training Program (Number of)	82
113 Voter Registrations Updated via Secure	
114 Online Website (Number of)	50
115 Poll Workers who Successfully Complete	
116 the Online Poll Manager Training on	
117 their First Attempt (%)	60.00
118 Publications	
119 Visits to the Secretary of State's	
120 Website (Number of)	11,000,000
121 Public Lands	
122 Tax-Forfeited Properties Sold (Number of)	500
123 Support Services	

124 Support Services as a Percentage of
125 Total Agency Expenditures (%) 27.00

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

130 **SECTION 8.** Of the funds appropriated in Section 1, no more
131 than Five Hundred Thousand Dollars (\$500,000.00) is provided for
132 paying principal and interest on bond issues for county voting
133 systems.

134 **SECTION 9.** Of the funds appropriated in Section 2, One
135 Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00) or so
136 much thereof as may be necessary, is appropriated out of any money
137 in the State Treasury to the credit of the Land Records
138 Maintenance Fund, for the purpose of making distributions to local
139 governments for taxes owed during the fiscal year.

140 **SECTION 10.** Of the funds appropriated in Section 2, One
141 Million Five Hundred Thousand Dollars (\$1,500,000.00) or so much
142 thereof as may be necessary, is appropriated out of any money in
143 the State Treasury to the credit of the Elections Support Fund,
144 for the purpose of acquiring, upgrading, maintaining, or repairing
145 voting equipment, systems, and supplies, hiring temporary
146 technical support, conducting elections using such voting
147 equipment or systems and training election officials during the
148 fiscal year.

149 **SECTION 11.** Of the funds appropriated in Section 2, Seven
150 Million Three Hundred Forty-nine Thousand Two Hundred
151 Seventy-seven Dollars (\$7,349,277.00) or so much thereof as may be
152 necessary, is appropriated out of any money in the State Treasury
153 to the credit of the Public Trust Tidelands Fund, and is
154 authorized to be transferred by the Secretary of State to the
155 Mississippi Department of Marine Resources.

156 **SECTION 12.** It is the intention of the Legislature that
157 whenever two (2) or more bids are received by this agency for the
158 purchase of commodities or equipment, and whenever all things
159 stated in such received bids are equal with respect to price,
160 quality and service, the Mississippi Industries for the Blind
161 shall be given preference. A similar preference shall be given to
162 the Mississippi Industries for the Blind whenever purchases are
163 made without competitive bids.

164 **SECTION 13.** The money herein appropriated shall be paid by
165 the State Treasurer out of any money in the State Treasury to the
166 credit of the proper fund or funds as set forth in this act, upon
167 warrants issued by the State Fiscal Officer; and the State Fiscal
168 Officer shall issue his warrants upon requisitions signed by the
169 proper person, officer or officers in the manner provided by law.

170 **SECTION 14.** This act shall take effect and be in force from
171 and after July 1, 2021, and shall stand repealed from and after
172 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 OFFICE OF THE SECRETARY OF STATE FOR FISCAL YEAR 2022.

HR13\SB2953A.J

Andrew Ketchings
Clerk of the House of Representatives