

Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO

Senate Bill No. 2916

BY: Committee

**Amend by striking all after the enacting clause and inserting
in lieu thereof the following:**

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..... \$ 88,162,874.00.

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



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
	Part Time	2

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



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



without proof of availability of new or additional funds above the appropriated level.

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and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

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

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

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

SECTION 5. It is the intent of the Legislature that the local governments pay for part of the computer cost of the Mississippi Justice Information Center by maintaining their 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	



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 11. 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 12. 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 stated in such received bids are equal with respect to price, 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



311 (\$495,190.00) is appropriated out of any funds in the State
312 Treasury to the credit of the Department of Public Safety for the
313 purposes of paying for eleven (11) hours of compensatory time at
314 an hourly rate based on two thousand eighty-seven and one hundred
315 forty-three one thousandths (2,087.143) hours per year for sworn
316 officers who hold the rank of Lieutenant and above. The funds
317 provided in this section to pay for the eleven (11) hours
318 authorized in this section shall be expended only for this
319 purpose.

320 **SECTION 17.** It is the intention of the Legislature that the
321 Department of Public Safety shall provide an annual report to the
322 Mississippi Legislature detailing any elected official or any
323 other person who is not an employee of the Department of Public
324 Safety who was transported in Highway Patrol aircraft during the
325 fiscal year. The report shall be provided to each member of the
326 Mississippi Legislature on or before January 15, 2022.

327 **SECTION 18.** The Commissioner of Public Safety shall have the
328 authority to transfer any funds from any division within the
329 Department of Public Safety to any other division of the
330 Department of Public Safety Special Funds, including, but not
331 limited to, Funds 3711, 371C, 371E, 3713, 3714, 3715, 3740, 3741,
332 3742, 3744, 3747 and 3718, not to exceed Twenty Million Dollars
333 (\$20,000,000.00) collectively during Fiscal Year 2022. However,
334 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.
Information Exchange Network Fund.....	\$ 264,007.00.
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 DEFRAID THE EXPENSES OF THE
2 DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2022.

