

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 2950**

**BY: Committee**

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

5           **SECTION 1.** The following sum, or so much thereof as may be  
6 necessary, is hereby appropriated out of any money in the State  
7 General Fund not otherwise appropriated for the purpose of  
8 defraying the expenses of the Mississippi Department of  
9 Information Technology Services, for the fiscal year beginning  
10 July 1, 2021, and ending June 30, 2022..... \$     25,154,322.00.

11           **SECTION 2.** The following sum, or so much thereof as may be  
12 necessary, is hereby appropriated out of any money in the special  
13 fund in the State Treasury to the credit of the Mississippi  
14 Department of Information Technology Services which are collected



15 by or otherwise become available for the purpose of defraying  
16 expenses of the Mississippi Department of Information Technology  
17 Services as provided in Senate Bill 2779, 2018 Legislative  
18 Session, for the fiscal year beginning July 1, 2021, and ending  
19 June 30, 2022 ..... \$ 18,951,588.00.

20 The funds in this section are provided to defray the costs  
21 incurred by the Department of Information Technology Services for  
22 providing telecommunication services, data center services, and/or  
23 other information technology services to state agencies.

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

26 AUTHORIZED POSITIONS:

27	Permanent:	Full Time .....	127
28		Part Time .....	0
29	Time-Limited:	Full Time .....	0
30		Part Time .....	0

31 With the funds herein appropriated, it shall be the agency's  
32 responsibility to make certain that funds required to be  
33 appropriated for "Personal Services" for Fiscal Year 2023 do not  
34 exceed Fiscal Year 2022 funds appropriated for that purpose unless  
35 programs or positions are added to the agency's Fiscal Year 2022  
36 budget by the Mississippi Legislature. Based on data provided by  
37 the Legislative Budget Office, the State Personnel Board shall  
38 determine and publish the projected annual cost to fully fund all  
39 appropriated positions in compliance with the provisions of this



40 act. Absent a special situation or circumstance approved by the  
41 State Personnel Board, or unless otherwise authorized by this act,  
42 no state agency shall take any action to promote or otherwise  
43 award salary increases through reallocation or realignment. If  
44 the State Personnel Board determines a special situation or  
45 circumstance exists and approves an action, then the agency and  
46 the State Personnel Board shall provide a monthly report of each  
47 action approved by the State Personnel Board to the chairmen of  
48 the Accountability, Efficiency and Transparency Committees of the  
49 Senate and House of Representatives and the chairmen of the  
50 Appropriations Committees of the Senate and House of  
51 Representatives. It shall be the responsibility of the agency  
52 head to ensure that no single personnel action increases this  
53 projected annual cost and/or the Fiscal Year 2022 appropriations  
54 for "Personal Services" when annualized, with the exception of  
55 escalated funds and the award of benchmarks. If, at the time the  
56 agency takes any action to change "Personal Services," the State  
57 Personnel Board determines that the agency has taken an action  
58 which would cause the agency to exceed this projected annual cost  
59 or the Fiscal Year 2022 "Personal Services" appropriated level,  
60 when annualized, then only those actions which reduce the  
61 projected annual cost and/or the appropriation requirement will be  
62 processed by the State Personnel Board until such time as the  
63 requirements of this provision are met.



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

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

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

81 **SECTION 4.** Of the funds appropriated in Section 1, it is the  
82 intention of the Legislature that the Executive Director of  
83 Information Technology Services (ITS) shall have authority to  
84 transfer an amount not to exceed Seven Hundred Fifty Thousand  
85 Dollars (\$750,000.00) to the ITS Revolving Fund (3360900000). The  
86 purpose of this authority is to provide operating cash to  
87 alleviate cash flow problems in the ITS Revolving Fund. Any funds  
88 transferred during the fiscal year shall be transferred back to



89 the State General Fund before the end of the lapse period for the  
90 fiscal year.

91 **SECTION 5.** In addition to all other funds appropriated  
92 herein, the following sum, or so much thereof as may be necessary,  
93 is appropriated out of any money in the State General Fund, not  
94 otherwise appropriated, for the purpose of defraying the expenses  
95 of the Wireless Communication Commission for the fiscal year  
96 beginning July 1, 2021, and ending June 30, 2022.....  
97 .....\$9,707,575.00.

98 The Wireless Communication Commission shall follow all state  
99 procurement and bid laws for all contracts and consultants.

100 **SECTION 6.** Of the funds appropriated under the provisions of  
101 this act, the following positions are authorized:

102 AUTHORIZED POSITIONS:

103	Permanent:	Full Time .....	5
104		Part Time .....	0
105	Time-Limited:	Full Time .....	0
106		Part Time .....	0

107 With the funds herein appropriated, it shall be the agency's  
108 responsibility to make certain that funds required to be  
109 appropriated for "Personal Services" for Fiscal Year 2023 do not  
110 exceed Fiscal Year 2022 funds appropriated for that purpose unless  
111 programs or positions are added to the agency's Fiscal Year 2022  
112 budget by the Mississippi Legislature. Based on data provided by  
113 the Legislative Budget Office, the State Personnel Board shall



114 determine and publish the projected annual cost to fully fund all  
115 appropriated positions in compliance with the provisions of this  
116 act. Absent a special situation or circumstance approved by the  
117 State Personnel Board, or unless otherwise authorized by this act,  
118 no state agency shall take any action to promote or otherwise  
119 award salary increases through reallocation or realignment. If  
120 the State Personnel Board determines a special situation or  
121 circumstance exists and approves an action, then the agency and  
122 the State Personnel Board shall provide a monthly report of each  
123 action approved by the State Personnel Board to the chairmen of  
124 the Accountability, Efficiency and Transparency Committees of the  
125 Senate and House of Representatives and the chairmen of the  
126 Appropriations Committees of the Senate and House of  
127 Representatives. It shall be the responsibility of the agency  
128 head to ensure that no single personnel action increases this  
129 projected annual cost and/or the Fiscal Year 2022 appropriations  
130 for "Personal Services" when annualized, with the exception of  
131 escalated funds and the award of benchmarks. If, at the time the  
132 agency takes any action to change "Personal Services," the State  
133 Personnel Board determines that the agency has taken an action  
134 which would cause the agency to exceed this projected annual cost  
135 or the Fiscal Year 2022 "Personal Services" appropriated level,  
136 when annualized, then only those actions which reduce the  
137 projected annual cost and/or the appropriation requirement will be



138 processed by the State Personnel Board until such time as the  
139 requirements of this provision are met.

140 Any transfers or escalations shall be made in accordance with  
141 the terms, conditions and procedures established by law or  
142 allowable under the terms set forth within this act. The State  
143 Personnel Board shall not escalate positions without written  
144 approval from the Department of Finance and Administration. The  
145 Department of Finance and Administration shall not provide written  
146 approval to escalate any funds for salaries and/or positions  
147 without proof of availability of new or additional funds above the  
148 appropriated level.

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

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

157 The commission is hereby authorized to escalate federal funds  
158 and other special funds in accordance with rules and regulations  
159 of the Department of Finance and Administration.

160 **SECTION 7.** It is the intention of the Legislature that none  
161 of the funds appropriated under the provisions of this act for the  
162 Wireless Communication Commission (WCC) shall be expended for the



163 purpose of making a payment of any kind or for any purpose,  
164 directly or indirectly, to a member of the State of Mississippi  
165 Legislature, state official, WCC member, or person who has been a  
166 member of the WCC within the last year.

167         **SECTION 8.** It is the intention of the Legislature that the  
168 Department of Information Technology Services shall maintain  
169 complete accounting and personnel records related to the  
170 expenditure of all funds appropriated under the provisions of this  
171 act and that such records shall be in the same format and level of  
172 details as maintained for Fiscal Year 2021. It is further the  
173 intention of the Legislature that the budget request for Fiscal  
174 Year 2023 shall be submitted to the Joint Legislative Budget  
175 Committee in a format and level of detail comparable to the format  
176 and level of detail provided during the Fiscal Year 2022 budget  
177 request process.

178         **SECTION 9.** It is the intention of the Legislature that  
179 whenever two (2) or more bids are received by this agency for the  
180 purchase of commodities or equipment, and whenever all things  
181 stated in such received bids are equal with respect to price,  
182 quality and service, the Mississippi Industries for the Blind  
183 shall be given preference. A similar preference shall be given to  
184 the Mississippi Industries for the Blind whenever purchases are  
185 made without competitive bids.

186         **SECTION 10.** It is the intention of the Legislature that the  
187 funds herein appropriated shall be expended in compliance with





188 Section 27-104-25, Mississippi Code of 1972, that no state agency  
189 shall incur obligations or indebtedness in excess of their  
190 appropriation and that the responsible officers, either personally  
191 or upon their official bonds, shall be held responsible for  
192 actions contrary to this provision.

193       **SECTION 11.** The money herein appropriated shall be paid by  
194 the State Treasurer out of any money in the State Treasury to the  
195 credit of the proper fund or funds as set forth in this act, upon  
196 warrants issued by the State Fiscal Officer; and the State Fiscal  
197 Officer shall issue his warrants upon requisitions signed by the  
198 proper person, officer or officers, in the manner provided by law.

199       **SECTION 12.** This act shall take effect and be in force from  
200 and after July 1, 2021, and shall stand repealed from and after  
201 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 FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INFORMATION  
3 TECHNOLOGY SERVICES FOR FISCAL YEAR 2022.

