

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 2953**

**BY: Committee**

**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.

