

By: Senator(s) Hopson, Polk, Wiggins,
Hickman, Tate

To: Appropriations

SENATE BILL NO. 3014

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2023.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

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, 2022, and ending June 30, 2023.....\$ 108,661,269.00.

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
13 divisions of the department for the fiscal year beginning
14 July 1, 2022, and ending June 30, 2023.....\$ 102,031,849.00.

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

17 AUTHORIZED POSITIONS:

18 Permanent: Full Time..... 1,696



19	Part Time.....	0
20	Time-Limited: Full Time.....	78
21	Part Time.....	2

22 With the funds herein appropriated, it shall be the agency's
23 responsibility to make certain that funds required for "Personal
24 Services" for Fiscal Year 2024 do not exceed Fiscal Year 2023
25 funds appropriated for that purpose unless programs or positions
26 are added to the agency's Fiscal Year 2023 budget by the
27 Mississippi Legislature. The Legislature shall determine the
28 agency's personal services appropriation, which shall be published
29 by the State Personnel Board. Additionally, the State Personnel
30 Board shall determine and publish the projected annualized payroll
31 costs based on current employees. It shall be the responsibility
32 of the agency head to ensure that actual personnel expenditures
33 for Fiscal Year 2023 do not exceed the data provided by the
34 Legislative Budget Office. If the agency's Fiscal Year 2023
35 projected cost exceeds the annualized costs, no salary actions
36 shall be processed by the State Personnel Board with the exception
37 of new hires that are determined to be essential for the agency.

38 Any transfers or escalations shall be made in accordance with
39 the terms, conditions and procedures established by law or
40 allowable under the terms set forth within this act. The State
41 Personnel Board shall not escalate positions without written
42 approval from the Department of Finance and Administration. The
43 Department of Finance and Administration shall not provide written



44 approval to escalate any funds for salaries and/or positions
45 without proof of availability of new or additional funds above the
46 appropriated level.

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

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

55 Funds have been appropriated herein for the purpose of
56 funding Project SEC2 minimum salaries for all employees covered
57 under the Colonel Guy Groff/Neville Kenning Variable Compensation
58 Plan. It shall be the agency's responsibility to ensure that the
59 funds are used to increase all employees' salaries up to the
60 minimum level as determined by the State Personnel Board.

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



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

72 **SECTION 5.** It is the intention of the Legislature, that the
73 Mississippi Department of Transportation shall transfer Five
74 Million Dollars (\$5,000,000.00), for the operations of the
75 Department of Public Safety Office of Commercial Transportation
76 Enforcement Division that was authorized to be relocated in Senate
77 Bill 2825, 2021 Regular Session.

78 **SECTION 6.** It is the intent of the Legislature that the
79 local governments pay for part of the computer cost of the
80 Mississippi Justice Information Center by maintaining their
81 contribution to the Department of Public Safety.

82 **SECTION 7.** It is the intention of the Legislature that the
83 Department of Public Safety designate certain employees to aid the
84 Office of Forensics Laboratories in the billing and collecting of
85 all fees charged for services rendered by the Office of Forensics
86 Laboratories.

87 **SECTION 8.** No part of the funds appropriated herein shall be
88 transferred to, expended by, or used, directly or indirectly, for
89 the benefit of any public relations, publicity or publication
90 activities of any other state agency, department or officer, nor
91 shall any personnel paid with funds appropriated herein be
92 transferred or assigned to any other state agency, department or



93 officer for public relations, publicity, or publication activities
94 of such office.

95 **SECTION 9.** It is the intention of the Legislature that the
96 Department of Public Safety shall not issue citations for
97 violations of speed limits on a quota basis. No funds expended
98 under this act shall be used for such quota-based citations for
99 violations of speed limits.

100 **SECTION 10.** In compliance with the "Mississippi Performance
101 Budget and Strategic Planning Act of 1994," it is the intent of
102 the Legislature that the funds provided herein shall be utilized
103 in the most efficient and effective manner possible to achieve the
104 intended mission of this agency. Based on the funding authorized,
105 this agency shall make every effort to attain the targeted
106 performance measures provided below:

	FY2023
<u>Performance Measures</u>	<u>Target</u>
Enforcement	
Increased Enforcement - Citations (%)	6.40
Decrease Fatalities (%)	4.50
Percent Increase in DUI Arrests (Includes Felony DUI)	6.00
Number of Criminal Investigations	36,600
Number of Highway Fatalities per 100 Million Vehicle Miles of Travel	0.88
Number of Alcohol Impaired Driving	



118	Fatalities per 100,000 Population	1.60
119	Number of Driving Under the Influence	
120	(DUI) Arrests per 100,000 Population	232
121	Percent Increase in Seatbelt/Child	
122	Restraint Citations	7.00
123	Driver Services	
124	Number of Driver's License/ID Cards Issued	604,249
125	Cost per License Document Produced	24.00
126	Number of Drivers Suspended	31,676
127	Number of Accident Reports Processed	1,653
128	Average Wait Time (Minutes)	20
129	Number of Documented Complaints	11
130	Percent Change in Wait Time	67.00
131	Percent Change in Complaints	10.00
132	Percent Increase in Regular & Commercial	
133	Driver Licenses Issued	10.00
134	Support Services	
135	Number of Financial Transactions Processed	40,200
136	Number of Employees Supported	1,300
137	Forensic Analysis	
138	Number of Reports Issued (Cases)	20,000
139	Number of Court Testimonies (Cases)	250
140	Cost per Case Analyzed	518.00
141	Cost per Testimony	500.00
142	Percent of Days for Reports Issued	40.00



143	Dna Analysis	
144	Number of Known Felony Offender Samples	
145	in Database	139,000
146	Number of Proficiency Samples	500
147	Number of Casework Samples Examined	10,500
148	Cost per Sample	650.00
149	Maintain the Integrity of the CODIS Database	99.00
150	Forensic Pathology	
151	Number of Deaths Investigated	25,500
152	Number of Autopsies Performed SME Office	1,375
153	Cost per Autopsy Performed	2,000.00
154	Percent Change in the Number of Deaths	
155	Investigated	2.50
156	Percent of Coroners Educated by ME's Office	30.00
157	Percent Change in the Number of	
158	Autopsies Performed at SME Office	2.00
159	Training Academy	
160	Number of Basic Students to Graduate	240
161	Number of Basic Refresher Students to	
162	Graduate	70
163	Number of In-Service & Advanced Students	
164	to Graduate	2,600
165	Percent of Law Enforcement Officers Trained	100.00
166	Drug Enforcement	
167	Number of Drug Suspects Arrested	1,575



168	Number of Drug Cases Prosecuted	1,350
169	Number of Drug Organization Disrupted	
170	and/or Dismantled	12
171	Percent Change in Number of Drug	
172	Suspects Arrested	0.50
173	Percent Change in Number of Drug Cases	
174	Prosecuted	0.50
175	Percent Change in Number of Drug Orgs	
176	Disrupted and/or Dismantled	0.50
177	Jail Officer Training	
178	Number of Jail & Youth Detention	
179	Officers Certified	300
180	Number of Certification Transactions	3,300
181	Number of Administrative Review Actions	15
182	Percent of Appointed Jail & Youth	
183	Detention Officers Obtaining	
184	Certification	75.00
185	Percent of Administrative Review Actions	
186	Taken within One Year	3.00
187	Law Enforcement Training	
188	Number of Basic Law Enforcement Officers	
189	Certified	500
190	Number of Certification Transactions	2,500
191	Number of Training Quality Monitoring	
192	Actions	1,000



193	Percent of Appointed Law Enforcement	
194	Officers Obtaining Certification	90.00
195	Percent of Appointed Part-Time, Reserve,	
196	& Auxiliary Officers Obtaining	
197	Certification	85.00
198	Percent of Administrative Disciplinary	
199	Actions Taken within One Year	3.50
200	Highway Safety	
201	Number of Federal Applications Funded &	
202	Statewide Pgms Supported	10
203	Percent Decrease in the Number of	
204	Unrestrained Passenger Vehicle Occupant	
205	Fatalities by 5%	2.00
206	Percent Decrease in the Number of	
207	Fatalities in Crashes Involving a Driver	
208	or Motorcycle Operator with a BAC of	
209	.08 & Above	1.00
210	Justice	
211	Number of Juvenile Jail/Detention	
212	Alternatives	5
213	Number of Hot Spots Policing Programs Funded	4
214	Emerg Telecommunications Tng	
215	Number of Emergency Telecommunicators	
216	Certified	400
217	Number of Certification Transactions	1,600



218	Percent of Appointed Emergency	
219	Telecommunicators Obtaining	
220	Certification	75.00
221	Percent of Appointed Emergency	
222	Telecommunicators Obtaining	
223	Recertification	75.00
224	Percent of Administrative Review Actions	
225	Taken within One Year	2.00
226	Council On Aging	
227	Number of Triad Programs Established	2
228	Number of Training Programs Conducted	0
229	Provide On-Site-Training	0
230	Percent Change in the Number of	
231	Operational Triad Programs	3.00
232	Percent Increase in Funding to Counties	
233	to Educate Senior Citizens	0.00
234	Juvenile Facility Monitoring Unit	
235	Number of Facilities Inspected	125
236	Number of Strategic Plans Implemented	20
237	Percent of Admin Review Actions Taken	
238	within One Year	80.00
239	Homeland Security	
240	Number of OHS Grants for Jurisdictions	107
241	Number of First Responder Classes	136
242	Percent Increase in Emergency Task Force	



243	Responder Training & Exercises	2.00
244	Percent Increase in Citizen & Community	
245	Preparedness Training & Exercises	2.00
246	Percent Increase in Requests for Information	2.00
247	Percent Increase in National Incident	
248	Mgmt Training & Exercises	2.00
249	Investigations	
250	Number of Human Trafficking Cases Initiated	300
251	Number of Human Trafficking Arrests	55
252	Number of Human Trafficking Child Recoveries	20
253	Capitol Police	
254	Number of Patrols	45
255	Number of Emergencies (Medical, Weather,	
256	Active Shooter, etc.)	214
257	Average Time to Respond to an Emergency	
258	(minutes)	3
259	Motor Carrier	
260	Number of Compliance Reviews	49,803
261	Number of On-Site Examinations at Scales	22,677
262	Number of Trucks Weighed	5,721,069
263	A reporting of the degree to which the performance targets	
264	set above have been or are being achieved shall be provided in the	
265	agency's budget request submitted to the Joint Legislative Budget	
266	Committee for Fiscal Year 2024.	



267 **SECTION 11.** It is the intention of the Legislature that all
268 divisions within the Mississippi Department of Public Safety shall
269 maintain complete accounting and personnel records related to the
270 expenditure of all funds appropriated under this act and that such
271 records shall be in the same format and level of detail as
272 maintained for Fiscal Year 2022. It is further the intention of
273 the Legislature that the agency's budget request for Fiscal Year
274 2024 shall be submitted to the Joint Legislative Budget Committee
275 in a format and level of detail comparable to the format and level
276 of detail provided during the Fiscal Year 2023 budget request
277 process.

278 **SECTION 12.** Of the funds appropriated under the provisions
279 of Section 2, funds may be expended to defray the costs of
280 clothing for sworn nonuniform law enforcement officers in an
281 amount not to exceed One Thousand Dollars (\$1,000.00) annually per
282 officer.

283 **SECTION 13.** It is the intention of the Legislature that
284 whenever two (2) or more bids are received by this agency for the
285 purchase of commodities or equipment, and whenever all things
286 stated in such received bids are equal with respect to price,
287 quality and service, the Mississippi Industries for the Blind
288 shall be given preference. A similar preference shall be given to
289 the Mississippi Industries for the Blind whenever purchases are
290 made without competitive bids.



291 **SECTION 14.** The department is authorized to expend available
292 funds on technology or equipment upgrades or replacements when it
293 will generate savings through efficiency or when the savings
294 generated from such upgrades or replacements exceed expenditures
295 thereof.

296 **SECTION 15.** Of the funds provided herein, and in addition to
297 the One Hundred Dollars (\$100.00) authorized in Section 45-3-7,
298 Mississippi Code of 1972, Department of Public Safety Officers who
299 are licensed commercial pilots shall receive an additional Nine
300 Hundred Dollars (\$900.00), for a total of One Thousand Dollars
301 (\$1,000.00), additional compensation for such service.

302 **SECTION 16.** It is the direction of the Legislature that all
303 Fair Labor Standards Act (FLSA) nonexempt sworn officers of the
304 Mississippi Highway Safety Patrol who are working one hundred
305 seventy-one (171) hours in a twenty-eight-day work cycle be
306 compensated based on the annual salary established by the State
307 Personnel Board for a one-hundred-sixty-hour per month schedule
308 divided by two thousand eighty-seven and one hundred forty-three
309 one thousandths (2,087.143), for an hourly rate, to be multiplied
310 by two thousand two hundred twenty-three (2,223) or one hundred
311 seventy-one (171) hours in a twenty-eight-day work cycle for a new
312 annual salary. All hours worked over one hundred seventy-one
313 (171) hours in a twenty-eight-day schedule shall be governed by
314 the FLSA or other special compensation plan. All realignments



315 after July 1, 2010, shall be calculated using this formula. This
316 section shall be known as the "David R. Huggins Act."

317 **SECTION 17.** Of the funds appropriated in Sections 1 and 2,
318 Four Hundred Ninety-five Thousand One Hundred Ninety Dollars
319 (\$495,190.00) is appropriated out of any funds in the State
320 Treasury to the credit of the Department of Public Safety for the
321 purposes of paying for eleven (11) hours of compensatory time at
322 an hourly rate based on two thousand eighty-seven and one hundred
323 forty-three one thousandths (2,087.143) hours per year for sworn
324 officers who hold the rank of Lieutenant and above. The funds
325 provided in this section to pay for the eleven (11) hours
326 authorized in this section shall be expended only for this
327 purpose.

328 **SECTION 18.** It is the intention of the Legislature that the
329 Department of Public Safety shall provide an annual report to the
330 Mississippi Legislature detailing any elected official or any
331 other person who is not an employee of the Department of Public
332 Safety who was transported in Highway Patrol aircraft during the
333 fiscal year. The report shall be provided to each member of the
334 Mississippi Legislature on or before January 15, 2023.

335 **SECTION 19.** The Commissioner of Public Safety shall have the
336 authority to transfer any funds from any division within the
337 Department of Public Safety to any other division of the
338 Department of Public Safety Special Funds, including, but not
339 limited to, Funds 3711, 371C, 371E, 3713, 3714, 3715, 3740, 3741,



340 3742, 3744, 3747 and 3718, not to exceed Twenty Million Dollars
341 (\$20,000,000.00) collectively during Fiscal Year 2023. However,
342 none of the funds appropriated by this act shall be expended
343 unless the Department of Public Safety provides prior written
344 notification of any transfer of funds provided in this section.

345 **SECTION 20.** The Bureau of Narcotics is authorized to expend
346 a sum, not to exceed Five Hundred Thousand Dollars (\$500,000.00)
347 from account No. 3371800000, for purposes of effectuating the
348 provisions of House Bill 812, 2017 Regular Session, Section 1.
349 Expenditures authorized by this section may include, but not be
350 limited to, costs associated with contracting with one or more
351 vendors, contractors or other persons or entities to create,
352 operate and maintain the forfeiture website and to provide
353 continuing support in relation thereto. In the event an amount
354 less than Five Hundred Thousand (\$500,000.00) is required to
355 effectuate the purposes of this section, the Bureau is authorized
356 to expend the remainder of such authorized funds for the purchase
357 of commodities, vehicles and/or other equipment necessary in the
358 furtherance of the needs of the Bureau.

359 **SECTION 21.** Of the funds appropriated in Section 1, it is
360 the intention of the Legislature that Four Million Three Hundred
361 Twelve Thousand Six Hundred Two Dollars (\$4,312,602.00) may be
362 allocated for the programs supported from General Fund court
363 assessments as follows:

364 State Crime Stoppers Fund.....\$ 99,003.00.



365 Adult Driver Training.....\$ 75,794.00.
366 Information Exchange Network Fund.....\$ 264,007.00.
367 Forensics Lab MS - MS Forensics Lab - Implied Consent Law
368 Fund.....\$ 404,795.00.
369 Forensics Lab Forensics Laboratory - DNA Identification
370 Fund.....\$ 629,543.00.
371 Law Enforcement and Firefighters Death Benefits Trust
372 Fund.....\$ 191,361.00.
373 Law Enforcement Standards Training - Law Enforcement Officers
374 Training Fund.....\$ 2,276,404.00.
375 Drug Abuse/Driver's License Reinstatement.\$ 13,573.00.
376 Federal - State Alcohol Program Fund.....\$ 160,431.00.
377 MS Leadership Council on Aging Fund.....\$ 197,691.00.

378 **SECTION 22.** It is the intention of the Legislature that the
379 Mississippi Bureau of Narcotics, Mississippi Department of Public
380 Safety, shall have the authority to receive, budget and expend
381 special funds from the Drug Evidence Disposition Funds
382 (3372000000), not to exceed Five Hundred Thousand Dollars
383 (\$500,000.00).

384 **SECTION 23.** Of the funds appropriated by this act, pursuant
385 to House Bill No 571, 2019 Regular Session, Two Hundred Fifty
386 Thousand Dollars (\$250,000.00) is provided for the duties and
387 operations of a Statewide Human Trafficking Coordinator and a data
388 analyst within the Bureau of Investigation in the Department of
389 Public Safety, who shall coordinate all statewide activities and



390 work with the Department of Child Protection Services for all
391 victims recovered.

392 **SECTION 24.** Of the funds appropriated by this act, pursuant
393 to House Bill 1283, 2019 Regular Session, Two Hundred Forty-two
394 Thousand Six Hundred Three dollars (\$242,603.00) is provided for
395 the duties and operations associated with the Mississippi School
396 Safety Act of 2019.

397 **SECTION 25.** The following sum, or so much thereof as may be
398 necessary, is reappropriated out of any money in the Capital
399 Expense Fund not otherwise appropriated for the Department of
400 Public Safety for the purpose of reauthorizing the expenditure of
401 Capital Expense Funds, as authorized in SB 2916, 2021 Regular
402 Session to provide for repairs and renovations at the Department
403 of Public Safety Mississippi Law Enforcement Officers Training
404 Academy for the fiscal year beginning July 1, 2022, and ending
405 June 30, 2023.....\$ 1,469,885.00.

406 Notwithstanding the amount reappropriated under the
407 provisions of this section, in no event shall the amount expended
408 exceed the unexpended balance as of June 30, 2022.

409 **SECTION 26.** The following sum, or so much thereof as may be
410 necessary, is reappropriated out of any money in the Capital
411 Expense Fund not otherwise appropriated for the Department of
412 Public Safety for the purpose of reauthorizing the expenditure of
413 Capital Expense Funds, as authorized in SB 2916, 2021 Regular
414 Session to provide for Bullet Proof Vests Program at the



415 Department of Public Safety for the fiscal year beginning July 1,
416 2022, and ending June 30, 2023.....\$ 100,000.00.

417 Notwithstanding the amount reappropriated under the
418 provisions of this section, in no event shall the amount expended
419 exceed the unexpended balance as of June 30, 2022.

420 **SECTION 27.** With the funds appropriated herein, the
421 Department of Public Safety is authorized to make payment for
422 expenses incurred during Fiscal Years 2019 and 2020 as follows:

423 <u>Vendor</u>	<u>Fiscal Year</u>	<u>Amount</u>
424 Buford Plumbing	2019	\$1,095.00
425 Broadway Line	2019	\$1,406.88
426 Kirk Auto World Inc. - DBA -		
427 Sunset Chrysler Dodge Jeep	2020	\$28,893.00

428 **SECTION 28.** The money herein appropriated shall be paid by
429 the State Treasurer out of any money in the State Treasury to the
430 credit of the proper fund or funds as set forth in this act, upon
431 warrants issued by the State Fiscal Officer; and the State Fiscal
432 Officer shall issue his warrants upon requisitions signed by the
433 proper person, officer or officers, in the manner provided by law.

434 **SECTION 29.** This act shall take effect and be in force from
435 and after July 1, 2022, and shall stand repealed from and after
436 June 30, 2022.

