

By: Senator(s) Hopson, Polk, Turner-Ford,  
Chism, DeLano, Norwood

To: Appropriations

SENATE BILL NO. 3038  
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE MISSISSIPPI GAMING COMMISSION FOR FISCAL YEAR  
3 2023.

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

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 Gaming Commission for  
9 the fiscal year beginning July 1, 2022, and ending

10 June 30, 2023.....\$ 8,828,391.00.

11 **SECTION 2.** The following sum, or so much thereof as may be  
12 necessary, is appropriated out of any money in the special fund in  
13 the State Treasury to the credit of the Mississippi Gaming  
14 Commission, for the purpose of defraying the expenses of the  
15 commission for the fiscal year beginning July 1, 2022, and ending

16 June 30, 2023.....\$ 1,675,397.00.

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



19 AUTHORIZED HEADCOUNT:

20 Permanent: 121

21 Time-Limited: 0

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 funds  
25 appropriated for that purpose unless programs or positions are  
26 added to the agency's Fiscal Year 2023 budget by the Mississippi  
27 Legislature. The Legislature shall determine the agency's  
28 personal services appropriation, which shall be published by the  
29 State Personnel Board. Additionally, the State Personnel Board  
30 shall determine and publish the projected annualized payroll costs  
31 based on current employees. It shall be the responsibility of the  
32 agency head to ensure that actual personnel expenditures for  
33 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.** Of the funds appropriated in Section 2 of this  
62 act, a portion shall be derived from the amount of forfeited  
63 property that is seized by the Gaming Commission, which shall be  
64 deposited into a special fund created by the Department of Finance  
65 and Administration and may be expended by the commission for the  
66 specific purpose of increasing law enforcement resources as  
67 outlined in Section 41-29-185, Mississippi Code 1972.



68           **SECTION 5.** Of the funds appropriated in Section 2 of this  
69 act, a portion shall be derived from the amount that is received  
70 by the Gaming Commission under the Gaming Control Act, which shall  
71 be deposited into a special fund created by the Department of  
72 Finance and Administration and may be expended by the commission  
73 for the purpose of investigating, permitting, interagency fees,  
74 and providing fingerprint analysis by the Department of Public  
75 Safety.

76           **SECTION 6.** It is the intention of the Legislature that  
77 whenever two (2) or more bids are received by this agency for the  
78 purchase of commodities or equipment, and whenever all things  
79 stated in such received bids are equal with respect to price,  
80 quality and service, the Mississippi Industries for the Blind  
81 shall be given preference. A similar preference shall be given to  
82 the Mississippi Industries for the Blind whenever purchases are  
83 made without competitive bids.

84           **SECTION 7.** It is the intention of the Legislature that the  
85 Gaming Commission shall maintain complete accounting and personnel  
86 records related to the expenditure of all funds appropriated under  
87 this act and that such records shall be in the same format and  
88 level of detail as maintained for Fiscal Year 2022. It is further  
89 the intention of the Legislature that the agency's budget request  
90 for Fiscal Year 2024 shall be submitted to the Joint Legislative  
91 Budget Committee in a format and level of detail comparable to the



92 format and level of detail provided during the Fiscal Year 2023  
93 budget request process.

94 **SECTION 8.** In compliance with the "Mississippi Performance  
95 Budget and Strategic Planning Act of 1994," it is the intent of  
96 the Legislature that the funds provided herein shall be utilized  
97 in the most efficient and effective manner possible to achieve the  
98 intended mission of this agency. Based on the funding authorized,  
99 this agency shall make every effort to attain the targeted  
100 performance measures provided below:

	FY2023
<u>Performance Measures</u>	<u>Target</u>
Riverboat Gaming	
Annual State Riverboat Gaming Revenues	2,000,000,000.00
Number of Casinos Regulated	26
Average Cost per Employee to Total State	
Riverboat Gaming Revenues	18,476,000.00
Charitable Bingo	
Number of Bingo Applications Received	25
Number of Bingo Halls Regulated	68
Average Cost per Employee to Total State	
Charitable Bingo Revenues	4,676,905.00

113 A reporting of the degree to which the performance targets  
114 set above have been or are being achieved shall be provided in the  
115 agency's budget request submitted to the Joint Legislative Budget  
116 Committee for Fiscal Year 2024.



117           **SECTION 9.** It is the intention of the Legislature that the  
118 funds herein appropriated shall be expended in compliance with  
119 Section 27-104-25, Mississippi Code of 1972, that no state agency  
120 shall incur obligations or indebtedness in excess of their  
121 appropriation and that the responsible officers, either personally  
122 or upon their official bonds, shall be held responsible for  
123 actions contrary to this provision.

124           **SECTION 10.** The money herein appropriated shall be paid by  
125 the State Treasurer out of any money in the State Treasury to the  
126 credit of the proper fund or funds as set forth in this act, upon  
127 warrants issued by the State Fiscal Officer; and the State Fiscal  
128 Officer shall issue his warrants upon requisitions signed by the  
129 proper person, officer or officers in the manner provided by law.

130           **SECTION 11.** This act shall take effect and be in force from  
131 and after July 1, 2022.

