

By: Senator(s) Hopson, Polk, Blackwell,
Simmons (13th), Williams

To: Appropriations

SENATE BILL NO. 3045

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2023.

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

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, to defray the expenses of
7 the Department of Finance and Administration for the fiscal year
8 beginning July 1, 2022, and ending June 30, 2023.....
9 \$ 34,894,775.00.

10 **SECTION 2.** The following sum, or so much thereof as may be
11 necessary, is hereby appropriated out of any money in the State
12 Treasury to the credit of the Department of Finance and
13 Administration for the purpose of defraying the expenses incurred
14 in the operation of the various offices of the department for the
15 fiscal year beginning July 1, 2022, and ending June 30, 2023
16 \$ 30,266,593.00.

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



19 AUTHORIZED POSITIONS:

20	Permanent:	Full Time	335
21		Part Time	1
22	Time-Limited:	Full Time	1
23		Part Time	0

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

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



44 approval from the Department of Finance and Administration. The
45 Department of Finance and Administration shall not provide written
46 approval to escalate any funds for salaries and/or positions
47 without proof of availability of new or additional funds above the
48 appropriated level.

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

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

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

63 **SECTION 4.** In addition to all other sums herein
64 appropriated, the following sum, or so much thereof as may be
65 necessary, is hereby appropriated out of any money in the Tort
66 Claims Trust Fund not otherwise appropriated, for the purpose of
67 defraying the expenses of the Tort Claims Board in the



68 administration of the Tort Claims Act for the fiscal year
69 beginning July 1, 2022, and ending June 30, 2023.....
70 \$ 6,546,034.00.

71 **SECTION 5.** Of the funds appropriated under the provisions of
72 this act, the following positions are authorized:

73 AUTHORIZED POSITIONS:

74	Permanent:	Full Time	8
75		Part Time	0
76	Time-Limited:	Full Time	0
77		Part Time	0

78 With the funds herein appropriated, it shall be the agency's
79 responsibility to make certain that funds required for "Personal
80 Services" for Fiscal Year 2024 do not exceed Fiscal Year 2023
81 funds appropriated for that purpose unless programs or positions
82 are added to the agency's Fiscal Year 2023 budget by the
83 Mississippi Legislature. The Legislature shall determine the
84 agency's personal services appropriation, which shall be published
85 by the State Personnel Board. Additionally, the State Personnel
86 Board shall determine and publish the projected annualized payroll
87 costs based on current employees. It shall be the responsibility
88 of the agency head to ensure that actual personnel expenditures
89 for Fiscal Year 2023 do not exceed the data provided by the
90 Legislative Budget Office. If the agency's Fiscal Year 2023
91 projected cost exceeds the annualized costs, no salary actions



92 shall be processed by the State Personnel Board with the exception
93 of new hires that are determined to be essential for the agency.

94 Any transfers or escalations shall be made in accordance with
95 the terms, conditions and procedures established by law or
96 allowable under the terms set forth within this act. The State
97 Personnel Board shall not escalate positions without written
98 approval from the Department of Finance and Administration. The
99 Department of Finance and Administration shall not provide written
100 approval to escalate any funds for salaries and/or positions
101 without proof of availability of new or additional funds above the
102 appropriated level.

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

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

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



142 With the funds herein appropriated, it shall be the agency's
143 responsibility to make certain that funds required for "Personal
144 Services" for Fiscal Year 2024 do not exceed Fiscal Year 2023
145 funds appropriated for that purpose unless programs or positions
146 are added to the agency's Fiscal Year 2023 budget by the
147 Mississippi Legislature. The Legislature shall determine the
148 agency's personal services appropriation, which shall be published
149 by the State Personnel Board. Additionally, the State Personnel
150 Board shall determine and publish the projected annualized payroll
151 costs based on current employees. It shall be the responsibility
152 of the agency head to ensure that actual personnel expenditures
153 for Fiscal Year 2023 do not exceed the data provided by the
154 Legislative Budget Office. If the agency's Fiscal Year 2023
155 projected cost exceeds the annualized costs, no salary actions
156 shall be processed by the State Personnel Board with the exception
157 of new hires that are determined to be essential for the agency.

158 Any transfers or escalations shall be made in accordance with
159 the terms, conditions and procedures established by law or
160 allowable under the terms set forth within this act. The State
161 Personnel Board shall not escalate positions without written
162 approval from the Department of Finance and Administration. The
163 Department of Finance and Administration shall not provide written
164 approval to escalate any funds for salaries and/or positions
165 without proof of availability of new or additional funds above the
166 appropriated level.



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

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

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

181 **SECTION 9.** In addition to all other sums herein
182 appropriated, the following sum, or so much thereof as may be
183 necessary, is appropriated out of any money in the State General
184 Fund for the purpose of defraying the expenses of State Property
185 Insurance for the fiscal year beginning July 1, 2022, and ending
186 June 30, 2023\$ 12,603,897.00.

187 **SECTION 10.** Of the funds herein appropriated, it is the
188 intention of the Legislature that two (2) of the allotted
189 Full-Time Permanent Positions in Section 3 of this bill may be
190 used for performing related administrative duties of the State
191 Property Insurance program.



192 **SECTION 11.** In addition to all other sums herein
193 appropriated, the following sum, or so much thereof as may be
194 necessary, is appropriated out of any money in the State General
195 Fund not otherwise appropriated, to the Department of Finance and
196 Administration for the purpose of providing a grant to the
197 Mississippi Home Corporation, for the fiscal year beginning
198 July 1, 2022, and ending June 30, 2023.....\$ 1,810,227.00.

199 **SECTION 12.** The funds appropriated herein shall be targeted
200 to individuals with disabilities or individuals with serious
201 mental illnesses who:

202 (1) Are being discharged from a state psychiatric hospital
203 after a stay of more than ninety (90) days; or, nursing facility,
204 or intermediate care facility for individuals with intellectual
205 disabilities after a stay of more than ninety (90) days; or

206 (2) Have been discharged from a state psychiatric hospital
207 within the last two (2) years; and

208 (a) Had multiple hospital visits in the last year due
209 to mental illness; or

210 (b) Are known to the mental health or state-housing
211 agency to have been arrested or incarcerated in the last year due
212 to conduct related to mental illness; or

213 (c) Are known to the mental health or state-housing
214 agency to have been homeless for one (1) full year or have had
215 four (4) or more episodes of homelessness in the last three (3)
216 years.



217 (3) Lack a fixed, regular, and adequate nighttime residence
218 and includes a subset for an individual who is exiting an
219 institution where he or she resided for ninety (90) days or less
220 and who resides in an emergency shelter or a place not meant for
221 human habitation immediately before entering that institution.

222 Any funds appropriated herein to hire additional staff or
223 employ staff shall only be used to implement this housing program.

224 **SECTION 13.** It is the intention of the Legislature that an
225 annual financial report based upon the state's fiscal year shall
226 be provided to the Attorney General, the Chairman of Senate
227 Appropriations, the Chairman of House Appropriations, and the
228 Legislative Budget Office.

229 **SECTION 14.** It is the intention of the Legislature that none
230 of the funds appropriated under the provisions of this act for the
231 Mississippi Home Corporation (MHC) shall be expended for the
232 purpose of making a payment of any kind or for any purpose,
233 directly or indirectly, to a member of the State of Mississippi
234 Legislature, state official, MHC board member, or person who has
235 been a member of the MHC within the last year.

236 **SECTION 15.** The following sum, or so much thereof as may be
237 necessary, is reappropriated out of any money in the Coronavirus
238 Local Fiscal Recovery Fund not otherwise appropriated for the
239 Department of Finance and Administration for the purpose of
240 reauthorizing the expenditure of Coronavirus Local Fiscal Recovery
241 Funds, as authorized in Senate Bill 2948, 2021 Regular Session,



242 for the fiscal year beginning July 1, 2022, and ending June 30,
243 2023\$140,000,000.00.

244 Notwithstanding the amount reappropriated under the
245 provisions of this section, in no event shall the amount expended
246 exceed the unexpended balance as of June 30, 2022.

247 The purpose of allocating these funds to nonentitlement units
248 of local government in accordance with the provisions applicable
249 to the Coronavirus Local Fiscal Recovery Fund in Section 9901 of
250 the American Rescue Plan Act of 2021 (Public Law No. 117-2) and
251 any applicable federal guidelines.

252 **SECTION 16.** It is the intention of the Legislature that the
253 Department of Finance and Administration shall maintain complete
254 accounting and personnel records related to the expenditure of all
255 funds appropriated under this act and that such records shall be
256 in the same format and level of detail as maintained for Fiscal
257 Year 2022. It is further the intention of the Legislature that
258 the agency's budget request for Fiscal Year 2024 shall be
259 submitted to the Joint Legislative Budget Committee in a format
260 and level of detail comparable to the format and level of detail
261 provided during the Fiscal Year 2023 budget request process.

262 **SECTION 17.** The department is authorized to expend available
263 funds on technology or equipment upgrades or replacements when it
264 will generate savings through efficiency or when the savings
265 generated from such upgrades or replacements exceed expenditures
266 thereof.



267 **SECTION 18.** It is the intention of the Legislature that
268 whenever two (2) or more bids are received by this agency for the
269 purchase of commodities or equipment, and whenever all things
270 stated in such received bids are equal with respect to price,
271 quality and service, the Mississippi Industries for the Blind
272 shall be given preference. A similar preference shall be given to
273 the Mississippi Industries for the Blind whenever purchases are
274 made without competitive bids.

275 **SECTION 19.** The Bureau of Building, Grounds and Real
276 Property Management of the Office of General Services is hereby
277 expressly authorized and empowered to receive, budget and expend
278 any state, local or other source funds designated for supplemental
279 funding of construction and/or repairs and renovation projects.
280 The Bureau of Building, Grounds and Real Property Management of
281 the Office of General Services shall not use any of the funds
282 authorized in this section to pay salaries. For the purposes of
283 this section, the Bureau of Building, Grounds and Real Property
284 Management of the Office of General Services does not have the
285 authority to escalate from the Capital Expense Fund or the Working
286 Cash-Stabilization Reserve Fund.

287 **SECTION 20.** Of the funds appropriated in Section 2, it is
288 the intention of the Legislature that an amount not to exceed Four
289 Million Five Hundred Thousand Dollars (\$4,500,000.00) is
290 authorized to be expended for the purpose of transferring funds to
291 the Bureau of Building, Grounds and Real Property Management for



292 the administration of projects for the repair and maintenance of
293 state-owned buildings.

294 **SECTION 21.** A report based on expenditures incurred during
295 the current and immediate past fiscal years shall be provided to
296 the Legislative Budget Office each regularly scheduled legislative
297 session. This report should reflect expenditures as a result of
298 the operation of the Robert E. Lee Building, the Woolfolk State
299 Office Building, the Gartin and Sillers Buildings, the Capitol
300 Buildings, the Central High School Building, the Robert G. Clark,
301 Jr. Building and other state buildings, and this report should
302 contain any steps taken to reduce operating costs.

303 **SECTION 22.** It is the intention of the Legislature that no
304 state-owned aircraft shall be utilized by any person except for
305 official business only.

306 **SECTION 23.** Of the funds appropriated in Section 2, an
307 amount not to exceed One Hundred Thousand Dollars (\$100,000.00) is
308 authorized to be expended to defray any shortfall in the Master
309 Lease Purchase Program as defined in Section 31-7-10, Mississippi
310 Code of 1972.

311 **SECTION 24.** Of the funds appropriated in Section 2, Twelve
312 Million Dollars (\$12,000,000.00) shall be expended from the
313 Capitol Complex Improvement District Project Fund, as established
314 in Section 29-5-215, Mississippi Code of 1972.

315 **SECTION 25.** Of the funds appropriated under the provisions
316 of this act, the department is authorized to enter into a contract



317 for use by state agencies to establish a pilot program for Fleet
318 Management Services, to include vehicle leasing and disposal,
319 without being subject to the provisions of law otherwise
320 applicable to fleet management.

321 **SECTION 26.** It is the intention of the Legislature that the
322 funds herein appropriated shall be expended in compliance with
323 Section 27-104-25, Mississippi Code of 1972, that no state agency
324 shall incur obligations or indebtedness in excess of their
325 appropriation and that the responsible officers, either personally
326 or upon their official bonds, shall be held responsible for
327 actions contrary to this provision.

328 **SECTION 27.** With the funds appropriated herein, the
329 Department of Finance and Administration is authorized to make
330 payment for expenses incurred during Fiscal Years 2018, 2019, and
331 2020 as follows:

332 Vendor	Fiscal Year	Amount
333 Mississippi Interactive LLC	2018	\$ 4,940.00
334 Mississippi Interactive LLC	2019	\$ 4,940.00
335 City of Jackson	2020	\$ 358.68

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



342 **SECTION 29.** This act shall take effect and be in force from
343 and after July 1, 2022, and shall stand repealed from and after
344 June 30, 2022.

