

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

To: Appropriations

SENATE BILL NO. 3047

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 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 Department of  
9 Information Technology Services, for the fiscal year beginning  
10 July 1, 2022, and ending June 30, 2023.....\$ 25,394,150.00.

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, 2022, and ending  
19 June 30, 2023.....\$ 25,014,598.00.

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..... | 126 |
| 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 for "Personal  
33 Services" for Fiscal Year 2024 do not exceed Fiscal Year 2023  
34 funds appropriated for that purpose unless programs or positions  
35 are added to the agency's Fiscal Year 2023 budget by the  
36 Mississippi Legislature. The Legislature shall determine the  
37 agency's personal services appropriation, which shall be published  
38 by the State Personnel Board. Additionally, the State Personnel  
39 Board shall determine and publish the projected annualized payroll  
40 costs based on current employees. It shall be the responsibility  
41 of the agency head to ensure that actual personnel expenditures  
42 for Fiscal Year 2023 do not exceed the data provided by the



43 Legislative Budget Office. If the agency's Fiscal Year 2023  
44 projected cost exceeds the annualized costs, no salary actions  
45 shall be processed by the State Personnel Board with the exception  
46 of new hires that are determined to be essential for the agency.

47 Any transfers or escalations shall be made in accordance with  
48 the terms, conditions and procedures established by law or  
49 allowable under the terms set forth within this act. The State  
50 Personnel Board shall not escalate positions without written  
51 approval from the Department of Finance and Administration. The  
52 Department of Finance and Administration shall not provide written  
53 approval to escalate any funds for salaries and/or positions  
54 without proof of availability of new or additional funds above the  
55 appropriated level.

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59 act and which are withdrawn and no longer available.

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

64 Funds have been appropriated herein for the purpose of  
65 funding Project SEC2 minimum salaries for all employees covered  
66 under the Colonel Guy Groff/Neville Kenning Variable Compensation  
67 Plan. It shall be the agency's responsibility to ensure that the



68 funds are used to increase all employees' salaries up to the  
69 minimum level as determined by the State Personnel Board.

70 **SECTION 4.** Of the funds appropriated in Section 1, it is the  
71 intention of the Legislature that the Executive Director of  
72 Information Technology Services (ITS) shall have authority to  
73 transfer an amount not to exceed Seven Hundred Fifty Thousand  
74 Dollars (\$750,000.00) to the ITS Revolving Fund (3360900000). The  
75 purpose of this authority is to provide operating cash to  
76 alleviate cash flow problems in the ITS Revolving Fund. Any funds  
77 transferred during the fiscal year shall be transferred back to  
78 the State General Fund before the end of the lapse period for the  
79 fiscal year.

80 **SECTION 5.** In addition to all other funds appropriated  
81 herein, the following sum, or so much thereof as may be necessary,  
82 is appropriated out of any money in the State General Fund, not  
83 otherwise appropriated, for the purpose of defraying the expenses  
84 of the Wireless Communication Commission for the fiscal year  
85 beginning July 1, 2022, and ending June 30, 2023.....  
86 .....\$ 10,231,394.00.

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

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

91 AUTHORIZED POSITIONS:

92 Permanent: Full Time..... 7



|    |                              |   |
|----|------------------------------|---|
| 93 | Part Time.....               | 0 |
| 94 | Time-Limited: Full Time..... | 0 |
| 95 | Part Time.....               | 0 |

96 With the funds herein appropriated, it shall be the agency's  
97 responsibility to make certain that funds required for "Personal  
98 Services" for Fiscal Year 2024 do not exceed Fiscal Year 2023  
99 funds appropriated for that purpose unless programs or positions  
100 are added to the agency's Fiscal Year 2023 budget by the  
101 Mississippi Legislature. The Legislature shall determine the  
102 agency's personal services appropriation, which shall be published  
103 by the State Personnel Board. Additionally, the State Personnel  
104 Board shall determine and publish the projected annualized payroll  
105 costs based on current employees. It shall be the responsibility  
106 of the agency head to ensure that actual personnel expenditures  
107 for Fiscal Year 2023 do not exceed the data provided by the  
108 Legislative Budget Office. If the agency's Fiscal Year 2023  
109 projected cost exceeds the annualized costs, no salary actions  
110 shall be processed by the State Personnel Board with the exception  
111 of new hires that are determined to be essential for the agency.

112 Any transfers or escalations shall be made in accordance with  
113 the terms, conditions and procedures established by law or  
114 allowable under the terms set forth within this act. The State  
115 Personnel Board shall not escalate positions without written  
116 approval from the Department of Finance and Administration. The  
117 Department of Finance and Administration shall not provide written



118 approval to escalate any funds for salaries and/or positions  
119 without proof of availability of new or additional funds above the  
120 appropriated level.

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

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

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

135 The commission is hereby authorized to escalate federal funds  
136 and other special funds in accordance with rules and regulations  
137 of the Department of Finance and Administration.

138 **SECTION 7.** It is the intention of the Legislature that none  
139 of the funds appropriated under the provisions of this act for the  
140 Wireless Communication Commission (WCC) shall be expended for the  
141 purpose of making a payment of any kind or for any purpose,  
142 directly or indirectly, to a member of the State of Mississippi



143 Legislature, state official, WCC member, or person who has been a  
144 member of the WCC within the last year.

145         **SECTION 8.** It is the intention of the Legislature that the  
146 Department of Information Technology Services shall maintain  
147 complete accounting and personnel records related to the  
148 expenditure of all funds appropriated under the provisions of this  
149 act and that such records shall be in the same format and level of  
150 details as maintained for Fiscal Year 2022. It is further the  
151 intention of the Legislature that the budget request for Fiscal  
152 Year 2024 shall be submitted to the Joint Legislative Budget  
153 Committee in a format and level of detail comparable to the format  
154 and level of detail provided during the Fiscal Year 2023 budget  
155 request process.

156         **SECTION 9.** 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 10.** It is the intention of the Legislature that the  
165 funds herein appropriated shall be expended in compliance with  
166 Section 27-104-25, Mississippi Code of 1972, that no state agency  
167 shall incur obligations or indebtedness in excess of their



168 appropriation and that the responsible officers, either personally  
169 or upon their official bonds, shall be held responsible for  
170 actions contrary to this provision.

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

177         **SECTION 12.** This act shall take effect and be in force from  
178 and after July 1, 2022, and shall stand repealed from and after  
179 June 30, 2022.

