

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

To: Appropriations

SENATE BILL NO. 3047  
(As Sent to Governor)

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.....\$ 26,695,501.00.

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.....\$ 25,252,878.00.

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 HEADCOUNT:

27 Permanent: 132

28 Time-Limited: 0

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



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

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

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57 act and which are withdrawn and no longer available.

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

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



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

78           **SECTION 5.** In addition to all other funds appropriated  
79 herein, the following sum, or so much thereof as may be necessary,  
80 is appropriated out of any money in the State General Fund, not  
81 otherwise appropriated, for the purpose of defraying the expenses  
82 of the Wireless Communication Commission for the fiscal year  
83 beginning July 1, 2022, and ending  
84 June 30, 2023.....\$ 11,134,207.00.

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

87           **SECTION 6.** The following sum, or so much thereof as may be  
88 necessary, is appropriated out of any money in the special fund in  
89 the State Treasury to the credit of the Wireless Communication  
90 Commission for the purpose of defraying the expenses for the  
91 fiscal year beginning July 1, 2022, and ending  
92 June 30, 2023.....\$       11,000,000.00



93           **SECTION 7.** Of the funds appropriated under the provisions of  
94 this act, the following positions are authorized:

95       AUTHORIZED HEADCOUNT:

96           Permanent:                   10

97           Time-Limited:                0

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

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



118 approval from the Department of Finance and Administration. The  
119 Department of Finance and Administration shall not provide written  
120 approval to escalate any funds for salaries and/or positions  
121 without proof of availability of new or additional funds above the  
122 appropriated level.

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

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

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

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

140 **SECTION 8.** It is the intention of the Legislature that none  
141 of the funds appropriated under the provisions of this act for the  
142 Wireless Communication Commission (WCC) shall be expended for the



143 purpose of making a payment of any kind or for any purpose,  
144 directly or indirectly, to a member of the State of Mississippi  
145 Legislature, state official, WCC member, or person who has been a  
146 member of the WCC within the last year.

147       **SECTION 9.** It is the intention of the Legislature that the  
148 Department of Information Technology Services shall maintain  
149 complete accounting and personnel records related to the  
150 expenditure of all funds appropriated under the provisions of this  
151 act and that such records shall be in the same format and level of  
152 details as maintained for Fiscal Year 2022. It is further the  
153 intention of the Legislature that the budget request for Fiscal  
154 Year 2024 shall be submitted to the Joint Legislative Budget  
155 Committee in a format and level of detail comparable to the format  
156 and level of detail provided during the Fiscal Year 2023 budget  
157 request process.

158       **SECTION 10.** It is the intention of the Legislature that  
159 whenever two (2) or more bids are received by this agency for the  
160 purchase of commodities or equipment, and whenever all things  
161 stated in such received bids are equal with respect to price,  
162 quality and service, the Mississippi Industries for the Blind  
163 shall be given preference. A similar preference shall be given to  
164 the Mississippi Industries for the Blind whenever purchases are  
165 made without competitive bids.

166       **SECTION 11.** Of the funds appropriated under the provisions  
167 of Section 6 of this act, Eleven Million Dollars (\$11,000,000.00),



168 or so much thereof, shall be derived out of any money in the State  
169 Treasury to the credit of the Capital Expense Fund, as created in  
170 Section 27-103-303, Mississippi Code of 1972, and allocated in a  
171 manner as determined by the Treasurer's Office. These funds are  
172 provided for the statewide refurbishment of the Mississippi  
173 Wireless Information Network (MSWIN).

174       **SECTION 12.** It is the intention of the Legislature that the  
175 funds herein appropriated shall be expended in compliance with  
176 Section 27-104-25, Mississippi Code of 1972, that no state agency  
177 shall incur obligations or indebtedness in excess of their  
178 appropriation and that the responsible officers, either personally  
179 or upon their official bonds, shall be held responsible for  
180 actions contrary to this provision.

181       **SECTION 13.** The money herein appropriated shall be paid by  
182 the State Treasurer out of any money in the State Treasury to the  
183 credit of the proper fund or funds as set forth in this act, upon  
184 warrants issued by the State Fiscal Officer; and the State Fiscal  
185 Officer shall issue his warrants upon requisitions signed by the  
186 proper person, officer or officers, in the manner provided by law.

187       **SECTION 14.** This act shall take effect and be in force from  
188 and after July 1, 2022.

