

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

To: Appropriations

SENATE BILL NO. 3052

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 OFFICE OF THE SECRETARY OF STATE 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, for the support and
7 maintenance of the Secretary of State for the fiscal year
8 beginning July 1, 2022, and ending June 30, 2023.....
9 \$ 11,794,282.00.

10 **SECTION 2.** The following sum, or so much thereof as may be
11 necessary, is hereby authorized for expenditure out of any special
12 source funds which are collected by or otherwise become available
13 for the purpose of defraying the expenses of the Secretary of
14 State for the fiscal year beginning July 1, 2022, and ending
15 June 30, 2023 \$ 15,673,069.00.

16 **SECTION 3.** Of the funds appropriated under the provisions of
17 Section 1, the following positions are authorized:

18 AUTHORIZED POSITIONS:



19	Permanent:	Full Time	95
20		Part Time	0
21	Time-Limited:	Full Time	13
22		Part Time	0

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

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



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

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

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

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

62 **SECTION 4.** None of the funds appropriated by this act shall
63 be expended for any purpose that is not actually required or
64 necessary for performing any of the powers or duties of the Office
65 of the Secretary of State that are authorized by the Mississippi
66 Constitution of 1890, state or federal law, or rules or
67 regulations that implement state or federal law.



68 **SECTION 5.** No part of the funds appropriated herein shall be
69 used, either directly or indirectly, for the purpose of paying any
70 clerk, stenographer, assistant, deputy, or other person who may be
71 related by blood or marriage within the third degree, computed by
72 the rules of the civil law, to the official employing or having
73 the right of employment or selection thereof; and in the event of
74 any such payment, then the official or person approving and making
75 or receiving such payment shall be jointly and severally liable to
76 return to the State of Mississippi and to pay into the State
77 Treasury three (3) times any such amount so paid or received, to
78 be recovered at suit of the Attorney General; provided that when
79 the relationship is by affinity and the person through whom the
80 relationship was established is dead, this provision shall not
81 apply.

82 **SECTION 6.** Of the funds appropriated in Section 1, the
83 Secretary of State may use funds appropriated for the purposes of
84 defraying litigation expenses associated with the enforcement of
85 the Mississippi Securities Act, the Regulation of Charitable
86 Solicitations Act, and the administration of the Public Trust.

87 **SECTION 7.** In compliance with the "Mississippi Performance
88 Budget and Strategic Planning Act of 1994," it is the intent of
89 the Legislature that the funds provided herein shall be utilized
90 in the most efficient and effective manner possible to achieve the
91 intended mission of this agency. Based on the funding authorized,



92 this agency shall make every effort to attain the targeted
93 performance measures provided below:

94 FY2023
95 Performance Measures Target

96 Business Services

97 Percent of Business Services Customer

98 Phone Calls Answered 95.00

99 Elections

100 Number of Poll Workers to Successfully

101 Complete the Online Training Program 150

102 Number of Voter Registrations Updated on

103 Secure Online Website 6,400

104 Percent of Poll Workers who Successfully

105 Complete the Online Poll Manager

106 Training on Their First Attempt 65.00

107 Publications

108 Number of Visits to the Secretary of

109 State's Website 11,700,000

110 Public Lands

111 Number of Tax-Forfeited Properties Sold 900

112 Support Services

113 Support Services as a Percent of Total

114 Agency Expenditures 27.00

115 A reporting of the degree to which the performance targets

116 set above have been or are being achieved shall be provided in the



117 agency's budget request submitted to the Joint Legislative Budget
118 Committee for Fiscal Year 2024.

119 **SECTION 8.** Of the funds appropriated in Section 1, no more
120 than Five Hundred Thousand Dollars (\$500,000.00) is provided for
121 paying principal and interest on bond issues for county voting
122 systems.

123 **SECTION 9.** Of the funds appropriated in Section 2, One
124 Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00), or
125 so much thereof as may be necessary, is appropriated out of any
126 money in the State Treasury to the credit of the Land Records
127 Maintenance Fund, for the purpose of making distributions to local
128 governments for taxes owed during the fiscal year.

129 **SECTION 10.** Of the funds appropriated in Section 2, One
130 Million Five Hundred Thousand Dollars (\$1,500,000.00), or so much
131 thereof as may be necessary, is appropriated out of any money in
132 the State Treasury to the credit of the Elections Support Fund,
133 for the purpose of acquiring, upgrading, maintaining, or repairing
134 voting equipment, systems, and supplies, hiring temporary
135 technical support, conducting elections using such voting
136 equipment or systems and training election officials during the
137 fiscal year.

138 **SECTION 11.** Of the funds appropriated in Section 2, Eleven
139 Million Four Hundred Fifty-five Thousand Two Hundred Forty-seven
140 Dollars (\$11,455,247.00), or so much thereof as may be necessary,
141 is appropriated out of any money in the State Treasury to the



142 credit of the Public Trust Tidelands Fund, and is authorized to be
143 transferred by the Secretary of State to the Mississippi
144 Department of Marine Resources.

145 **SECTION 12.** It is the intention of the Legislature that
146 whenever two (2) or more bids are received by this agency for the
147 purchase of commodities or equipment, and whenever all things
148 stated in such received bids are equal with respect to price,
149 quality and service, the Mississippi Industries for the Blind
150 shall be given preference. A similar preference shall be given to
151 the Mississippi Industries for the Blind whenever purchases are
152 made without competitive bids.

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

159 **SECTION 14.** This act shall take effect and be in force from
160 and after July 1, 2022, and shall stand repealed from and after
161 June 30, 2022.

