

House Amendments to Senate Bill No. 3024

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

12 **SECTION 1.** The following sum, or so much thereof as may be
13 necessary, is hereby appropriated out of any money in the State
14 General Fund not otherwise appropriated, for the purpose of
15 defraying the expenses of the Mississippi Department of Revenue,
16 including the Homestead Exemption Division, the Motor Vehicle
17 Comptroller functions, the Alcoholic Beverage Control Division
18 Liquor Distribution Center, and the Enforcement Division, for the
19 fiscal year beginning July 1, 2022, and ending June 30, 2023.....
20\$ 42,759,427.00.

21 **SECTION 2.** The following sum, or so much thereof as may be
22 necessary, is hereby appropriated out of any money in the special
23 fund in the State Treasury to the credit of the Mississippi
24 Department of Revenue which are collected by or otherwise become
25 available for the purpose of defraying the expenses of the
26 department for the fiscal year beginning July 1, 2022, and ending
27 June 30, 2023.....\$ 20,702,849.00.

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

30 AUTHORIZED POSITIONS:

31	Permanent:	Full Time.....	660
32		Part Time.....	0
33	Time-Limited:	Full Time.....	0
34		Part Time.....	0

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

51 Any transfers or escalations shall be made in accordance with
52 the terms, conditions and procedures established by law or
53 allowable under the terms set forth within this act. The State

54 Personnel Board shall not escalate positions without written
55 approval from the Department of Finance and Administration. The
56 Department of Finance and Administration shall not provide written
57 approval to escalate any funds for salaries and/or positions
58 without proof of availability of new or additional funds above the
59 appropriated level.

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

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

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

74 **SECTION 4.** It shall be the duty of the Chairman of the
75 Mississippi Department of Revenue, and he is hereby empowered to
76 select in the manner provided by Section 27-3-13, Mississippi Code
77 of 1972, such employees as may be necessary to the administration
78 of all acts relating to the exemption of homesteads and the
79 reimbursement of tax losses to the several taxing units of the

80 state, and to assign them to the use of the Mississippi Department
81 of Revenue.

82 **SECTION 5.** The money herein appropriated may be used for any
83 expenses which the commission may legally incur. Provided,
84 however, that no part of the money herein appropriated shall be
85 used for the payment of attorney's fees, except upon
86 recommendation of the Governor with the approval of the Attorney
87 General, nor shall any of said funds be used either directly or
88 indirectly for the purpose of paying any clerk, stenographer,
89 assistant, deputy or other employee who may be related by blood or
90 marriage within the third degree, computed by the rule of civil
91 law, to the official employing or having the right of employment
92 or selection thereof, except that when the relationship is by
93 affinity and the person is dead through whom the relationship was
94 established, this rule shall not apply. In the event of any such
95 payment, then the official or person approving and making such
96 payment shall be liable to return to the State of Mississippi and
97 to pay into the State Treasury to the credit of the General Fund
98 three (3) times any such amount so paid to be recovered at suit by
99 the Attorney General.

100 **SECTION 6.** In compliance with the "Mississippi Performance
101 Budget and Strategic Planning Act of 1994," it is the intent of
102 the Legislature that the funds provided herein shall be utilized
103 in the most efficient and effective manner possible to achieve the
104 intended mission of this agency. Based on the funding authorized,

105 this agency shall make every effort to attain the targeted
 106 performance measures provided below:

	FY2023
<u>Performance Measures</u>	<u>Target</u>
109 Tax Administration	
110 Cost per Unit of Work (Item/Case/Call)	14.06
111 Cost per Call Center Call Answered	3.53
112 Audit	
113 Cost per Audit	721.01
114 Tax Production per Audit (\$)	8,173.08
115 Tax Enforcement	
116 Cost per Dollar Collected in Recovery	
117 Actions	0.06
118 General Administration	
119 Average Cost per Return Processed	4.18
120 ROI - Revenue Collected per Dollar of	
121 Expense	127.88
122 Property & Motor Vehicle Services	
123 Cost per Homestead Exemption Application	3.31
124 Cost per Title Issued	2.62
125 ABC Liquor Distribution Center	
126 Cost per Case Shipped	2.18
127 ROI - GF Dollars Returned per Dollar of Cost	14.05
128 Enforcement	
129 Number of Violations-Medical Cannabis	20
130 Number of Permits-Medical Cannabis	200

131	Number of Permits-Alcohol	2,400
132	Enforcement and Permitting Cost Per	
133	Permit-Medical Cannabis	4,761.00
134	Enforcement and Permitting Cost Per	
135	Permit-Alcohol	1,039.58
136	Average Number of Days to Issue	
137	Permit-Medical Cannabis	30
138	Average Number of Days to Issue	
139	Permit-Alcohol	23
140	Percent of Medical Cannabis Permits	
141	Receiving Administrative Actions	10.00
142	Percent of Medical Cannabis Permits	
143	Receiving Criminal Actions	10.00
144	Percent of Medical Cannabis Permits	
145	Inspected	100.00
146	Percent of Permit Applications	
147	Approved-Medical Cannabis	75.00

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

152 **SECTION 7.** In addition to all other sums herein
153 appropriated, the following sum, or so much thereof as may be
154 necessary, is hereby appropriated out of any money in the State
155 General Fund not otherwise appropriated, to the Mississippi
156 Department of Revenue for the purpose of reimbursing the counties

157 of the state, the road districts and school districts therein and
158 the municipal separate school districts, for tax losses incurred
159 by reason of the exemption of homes from certain ad valorem taxes
160 under the provisions of Section 27-33-1 et seq., Mississippi Code
161 of 1972, for the fiscal year beginning July 1, 2022, and ending
162 June 30, 2023.....\$ 90,600,000.00.

163 **SECTION 8.** Each county, road district, school district and
164 municipal separate school district which has incurred a tax loss
165 that is reimbursable under Section 7 of this act shall be
166 reimbursed a sum which is equivalent to the amount of tax loss
167 produced by the application of tax rates annually fixed for
168 maintenance and current expenses to the assessed value of homes,
169 or so much thereof as has been lawfully authorized under the
170 provisions of Section 27-33-1 et seq., Mississippi Code of 1972.

171 The disbursements from the funds appropriated under the
172 provisions of Section 7 shall be based upon the certificates
173 required of the clerks of the county boards of supervisors and of
174 the clerks of the municipalities, which certificates shall conform
175 strictly in every respect to the requirements of the provisions of
176 Section 27-33-1 et seq., Mississippi Code of 1972.

177 All disbursements from the funds appropriated under the
178 provisions of Section 7 of this act shall be made strictly in
179 accordance with the provisions of Section 27-33-1 et seq.,
180 Mississippi Code of 1972, and no disbursements other than those
181 clearly authorized by those sections shall be made, the provisions
182 of any other law to the contrary notwithstanding.

183 **SECTION 9.** None of the funds appropriated under the
184 provisions of Section 7 of this act may be distributed to any
185 county, municipality, school district or other taxing district in
186 which the assessed valuation of the taxing district has increased
187 as a result of reappraisal of the property of the taxing district
188 unless the governing board of the taxing district has published a
189 notice in a newspaper having a general circulation in the taxing
190 district, stating the lower millage rate that would produce the
191 same amount of revenue from ad valorem taxation on property of the
192 taxing district that was produced in the fiscal year before the
193 property of the taxing district was reappraised.

194 **SECTION 10.** In addition to all other sums herein
195 appropriated, the following sum, or so much thereof as may be
196 necessary, is hereby appropriated out of any money in the State
197 Treasury to the credit of the Mississippi Department of Revenue -
198 License Tag Commission from any other special source funds made
199 available to the License Tag Commission, for the fiscal year
200 beginning July 1, 2022, and ending June 30, 2023.....
201\$ 4,200,000.00.

202 **SECTION 11.** None of the funds appropriated in Section 10 of
203 this act shall be expended to purchase motor vehicle license tags
204 made or manufactured by any department, agency or instrumentality
205 of a state other than the State of Mississippi. None of the funds
206 appropriated in this section shall be used for the purchase of
207 bolts, nuts or other fastening devices for attaching said motor
208 vehicle license tags. Provided further, that all motor vehicles

209 belonging to any state department, agency, commission, institution
210 or any other division of state government shall have license tags
211 which shall bear the words "Government" at the bottom of such
212 license tags.

213 **SECTION 12.** It is the intention of the Legislature that
214 whenever two (2) or more bids are received by this agency for the
215 purchase of commodities or equipment, and whenever all things
216 stated in such received bids are equal with respect to price,
217 quality and service, the Mississippi Industries for the Blind
218 shall be given preference. A similar preference shall be given to
219 the Mississippi Industries for the Blind whenever purchases are
220 made without competitive bids.

221 **SECTION 13.** None of the funds appropriated under the
222 provisions of Sections 1 and 2 of this act shall be expended
223 unless an advisory committee continues to coordinate, in an
224 advisory capacity only, with the Department of Revenue in the
225 determination of the collection of statistical data and
226 information related to economic and tax policy. This advisory
227 committee shall consist of the following members or their
228 designees: the Director of the Legislative Budget Office, the
229 Director of the Joint Legislative PEER Committee, the State
230 Economist, the President of the Mississippi Economic Council and
231 the Director of the Mississippi Economic Policy Center.

232 **SECTION 14.** It is the intention of the Legislature that the
233 Mississippi Department of Revenue shall maintain complete
234 accounting and personnel records related to the expenditure of all

235 funds appropriated under this act and that such records shall be
236 in the same format and level of detail as maintained for Fiscal
237 Year 2022. It is further the intention of the Legislature that
238 the agency's budget request for Fiscal Year 2024 shall be
239 submitted to the Joint Legislative Budget Committee in a format
240 and level of detail comparable to the format and level of detail
241 provided during the Fiscal Year 2023 budget request process.

242 **SECTION 15.** Of the funds appropriated in this act, it is the
243 intention of the Legislature that up to Eight Hundred Eleven
244 Thousand Seven Hundred Forty Dollars (\$811,740.00) shall be
245 allocated as follows: to the Municipal Court Collections Program
246 Four Hundred Five Thousand Eight Hundred Seventy Dollars
247 (\$405,870.00) and to the Justice Court Collections Program Four
248 Hundred Five Thousand Eight Hundred Seventy Dollars (\$405,870.00)
249 to be supported from General Fund court assessments.

250 **SECTION 16.** Of the funds appropriated by this act, it is the
251 intention of the Legislature that the department make certain that
252 funds required to be appropriated to defray rent expenses for the
253 department's headquarters located in Clinton, Mississippi, do not
254 exceed Two Million Five Hundred Ninety Thousand Dollars
255 (\$2,590,000.00).

256 **SECTION 17.** It is the intention of the Legislature that the
257 funds herein appropriated shall be expended in compliance with
258 Section 27-104-25, Mississippi Code of 1972, that no state agency
259 shall incur obligations or indebtedness in excess of their
260 appropriation and that the responsible officers, either personally

261 or upon their official bonds, shall be held responsible for
262 actions contrary to this provision.

263 **SECTION 18.** The following sum, or so much thereof as may be
264 necessary, is reappropriated out of any money in the Capital
265 Expense Fund not otherwise appropriated, for the Mississippi
266 Department of Revenue for the purpose of reauthorizing the
267 expenditure of Capital Expense Funds for the purpose of defraying
268 the expenses for facility repairs, as authorized in Senate Bill
269 No. 2923, 2021 Regular Session, for the fiscal year beginning July
270 1, 2022, and ending June 30, 2023.....\$ 900,000.00

271 Notwithstanding the amount reappropriated under the
272 provisions of this section, in no event shall the amount expended
273 exceed the unexpended balance as of June 30, 2022.

274 **SECTION 19.** The money herein appropriated shall be paid by
275 the State Treasurer out of any money in the State Treasury to the
276 credit of the proper fund or funds as set forth in this act, upon
277 warrants issued by the State Fiscal Officer; and the Fiscal
278 Officer shall issue his warrants upon requisitions signed by the
279 proper person, officer or officers, in the manner provided by law.

280 **SECTION 20.** This act shall take effect and be in force from
281 and after July 1, 2022, and shall stand repealed from and after
282 June 29, 2022.

HR13\SB3024A.J

Andrew Ketchings
Clerk of the House of Representatives