

House Amendments to Senate Bill No. 3052

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:

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 funds
26 appropriated for that purpose unless programs or positions are
27 added to the agency's Fiscal Year 2023 budget by the Mississippi
28 Legislature. The Legislature shall determine the agency's
29 personal services appropriation, which shall be published by the
30 State Personnel Board. Additionally, the State Personnel Board
31 shall determine and publish the projected annualized payroll costs
32 based on current employees. It shall be the responsibility of the
33 agency head to ensure that actual personnel expenditures for
34 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	<u>Performance Measures</u>	<u>Target</u>
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 29, 2022.

HR13\SB3052A.J

Andrew Ketchings
Clerk of the House of Representatives