

By: Representatives Turner, Ladner

To: Corrections;  
Appropriations

HOUSE BILL NO. 541

1 AN ACT TO CREATE NEW SECTION 47-5-12, MISSISSIPPI CODE OF  
 2 1972, TO REQUIRE THE DEPARTMENT OF CORRECTIONS TO REQUEST  
 3 CONSULTING SERVICES FROM THE MISSISSIPPI DEPARTMENT OF INFORMATION  
 4 TECHNOLOGY SERVICES; TO REQUIRE THE DEPARTMENT OF CORRECTIONS AND  
 5 THE DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES TO EXECUTE A  
 6 COOPERATIVE PLAN FOR THE ACQUISITION AND IMPLEMENTATION OF AN  
 7 OFFENDER MANAGEMENT INFORMATION SYSTEM; TO REQUIRE THE DEPARTMENT  
 8 OF INFORMATION TECHNOLOGY SERVICES TO PROVIDE CERTAIN ANNUAL  
 9 EXPENSE REPORTS; TO REQUIRE THE DEPARTMENT OF CORRECTIONS TO  
 10 PROVIDE CERTAIN BI-ANNUAL UPDATES TO THE PEER COMMITTEE; TO  
 11 SUPPLEMENT THE AUTHORITY OF THE MISSISSIPPI DEPARTMENT OF  
 12 INFORMATION TECHNOLOGY SERVICES TO PROCURE EQUIPMENT, SYSTEMS AND  
 13 RELATED SERVICES; TO AMEND SECTION 25-53-29, MISSISSIPPI CODE OF  
 14 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED  
 15 PURPOSES.

16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

17 **SECTION 1.** The following shall be codified as Section  
 18 47-5-12, Mississippi Code of 1972:

19 47-5-12. (1) In accordance with the provisions of Section  
 20 25-53-29, the Mississippi Department of Corrections (MDOC) shall  
 21 request consulting services from the Mississippi Department of  
 22 Information Technology Services (MDITS) to identify, acquire, and  
 23 implement a new offender management information system. The



24 requested technical assistance should include, but not be limited  
25 to, the following:

26 (a) Updating all offender records to ensure data in the  
27 current system is reliable, accurate, and complete;

28 (b) Ensuring reports produced by the current system are  
29 updated and accurate;

30 (c) Providing a management letter containing cost  
31 estimates and recommendations for a new system after inspecting  
32 facilities and equipment, interviewing employees, and reviewing  
33 records to identify cost-effective alternatives. Recommendations  
34 should consider system compliance with national technical and  
35 functional standards, feasibility of expansion to manage county  
36 jails, and capacity to exchange information with the Mississippi  
37 Analysis and Information Center and other criminal justice  
38 stakeholders;

39 (d) Publishing a written planning guide to identify,  
40 acquire, and implement a new system;

41 (e) Publishing policies and procedures for the new  
42 system;

43 (f) Training end-users of the new system; and

44 (g) Ensuring the accurate and complete offender data is  
45 transferred into the new system.

46 (2) By September 1, 2023, MDOC and MDITS shall reduce to  
47 writing and execute a cooperative plan for the acquisition and  
48 implementation of an offender management information system. Any



49 plan so adopted shall be carried out in accordance with provisions  
50 of Section 47-5-12(1) and Section 25-53-29(1)(f) unless the same  
51 shall be amended by joint action of the executive director of  
52 MDITS and the commissioner of MDOC. The adopted plan must also  
53 require MDOC to pay an amount not to exceed Two Hundred Fifty  
54 Thousand Dollars (\$250,000.00) per year to MDITS for consulting  
55 services until all provisions are completed.

56 (3) MDITS shall provide annual expense reports to the  
57 Mississippi Legislative Budget Office and the Joint Legislative  
58 Committee on Performance Evaluation and Expenditure Review (PEER  
59 Committee) on the cooperative plan for a new offender management  
60 information system. The expense reports should itemize  
61 expenditures for each fiscal year and provides copies of all  
62 charges.

63 (4) MDOC shall provide bi-annual updates to the PEER  
64 Committee on the collaborative efforts with the MDITS to update  
65 offender data, procure a new offender management information  
66 system, and transfer offender data to the new system. MDOC must  
67 submit updates bi-annually until the project is complete.

68 (5) The provisions of Section 47-5-12 supplement the  
69 authority of MDITS to procure equipment, systems, and related  
70 services in accordance with the law or regulations, or both, which  
71 govern the Bureau of Purchasing of the Office of General Services  
72 or which govern the Mississippi Department of Information



73 Technology Services procurement of telecommunications equipment,  
74 software, and services.

75 (6) The provisions of this section shall be repealed from  
76 and after July 1, 2028.

77 **SECTION 2.** Section 25-53-29, Mississippi Code of 1972, is  
78 amended as follows:

79 25-53-29. (1) For the purposes of this section the term  
80 "bureau" shall mean the "Mississippi Department of Information  
81 Technology Services." The \* \* \* bureau shall have the following  
82 powers and responsibilities to carry out the establishment of  
83 policy and provide for long-range planning and consulting:

84 (a) Provide a high level of technical expertise for  
85 agencies, institutions, political subdivisions and other  
86 governmental entities as follows: planning; consulting; project  
87 management; systems and performance review; system definition;  
88 design; application programming; training; development and  
89 documentation; implementation; maintenance; and other tasks as may  
90 be required, within the resources available to the bureau.

91 (b) Publish written planning guides, policies and  
92 procedures for use by agencies and institutions in planning future  
93 electronic information service systems. The bureau may require  
94 agencies and institutions to submit data, including periodic  
95 electronic equipment inventory listings, information on agency  
96 staffing, systems under study, planned applications for the  
97 future, and other information needed for the purposes of preparing



98 the state master plan. The bureau may require agencies and  
99 institutions to submit any additional data required for purposes  
100 of preparing the state master plan.

101 (c) Inspect agency facilities and equipment, interview  
102 agency employees and review records at any time deemed necessary  
103 by the bureau for the purpose of identifying cost-effective  
104 applications of electronic information technology. Upon  
105 conclusion of any inspection, the bureau shall issue a management  
106 letter containing cost estimates and recommendations to the agency  
107 head and governing board concerning applications identified that  
108 would result in staff reductions, other monetary savings and  
109 improved delivery of public services.

110 (d) Conduct classroom and on-site training for end  
111 users for applications and systems developed by the bureau.

112 (e) Provide consulting services to agencies and  
113 institutions or Mississippi governmental subdivisions requesting  
114 technical assistance in electronic information services technology  
115 applications and systems. The bureau may submit proposals and  
116 enter into contracts to provide services to agencies and  
117 institutions or governmental subdivisions for such purposes.

118 (f) Provide consulting services to the Mississippi  
119 Department of Corrections as required by Section 47-5-12. This  
120 paragraph (f) shall stand repealed from and after July 1, 2028.

121 (2) The bureau shall annually issue a three-year master plan  
122 in writing to the Governor, available on request to any member of



123 the Legislature, including recommended statewide strategies and  
124 goals for the effective and efficient use of information  
125 technology and services in state government. The report shall  
126 also include recommended information policy actions and other  
127 recommendations for consideration by the Governor and members of  
128 the Legislature.

129 (3) The bureau shall make an annual report in writing to the  
130 Governor, available on request to any member of the Legislature,  
131 to include a full and detailed account of the work of the  
132 authority for the preceding year. The report shall contain  
133 recommendations to agencies and institutions resulting from  
134 inspections or consulting contracts. The report shall also  
135 contain a summary of the master plan, progress made, and  
136 legislative and policy recommendations for consideration by the  
137 Governor and members of the Legislature.

138 (4) The bureau may charge fees to agencies and institutions  
139 for services rendered to them. The bureau may charge fees to  
140 vendors to recover the cost of providing procurement services and  
141 the delivery of procurement awards to public bodies. The amounts  
142 of such fees shall be set by the authority upon recommendation of  
143 the Executive Director of the MDITS, and all such fees collected  
144 shall be paid into the fund established for carrying out the  
145 purposes of this section.

146 (5) It is the intention of the Legislature that the  
147 employees of the bureau performing services defined by this



148 section be staffed by highly qualified persons possessing  
149 technical, consulting and programming expertise. Such employees  
150 shall be considered nonstate service employees as defined in  
151 Section 25-9-107(c) (x) and may be compensated at a rate comparable  
152 to the prevailing rate of individuals in qualified professional  
153 consulting firms in the private sector. Such compensation rates  
154 shall be determined by the State Personnel Director. The number  
155 of such positions shall be set by annual appropriation of the  
156 Legislature. Qualifications and compensation of the bureau  
157 employees shall be set by the State Personnel Board upon  
158 recommendation of the Executive Director of the MDITS. The total  
159 number of positions and classification of positions may be  
160 increased or decreased during a fiscal year depending upon work  
161 load and availability of funds.

162 (6) The bureau may, from time to time, at the discretion of  
163 the Executive Director of the MDITS, contract with firms or  
164 qualified individuals to be used to augment the bureau's  
165 professional staff in order to assure timely completion and  
166 implementation of assigned tasks, provided that funds are  
167 available in the fund established for carrying out the purposes of  
168 this section. Such individuals may be employees of any agency,  
169 bureau or institution provided that these individuals or firms  
170 meet the requirements of other individuals or firms doing business  
171 with the state through the Mississippi Department of Information  
172 Technology Services. Individuals who are employees of an agency



173 or institution may contract with the Mississippi Department of  
174 Information Technology Services only with the concurrence of the  
175 agency or institution for whom they are employed.

176 From and after July 1, 2018, the expenses of this agency  
177 shall be defrayed by appropriation from the State General Fund.  
178 In addition, in order to receive the maximum use and benefit from  
179 information technology and services, expenses for the provision of  
180 statewide shared services that facilitate cost-effective  
181 information processing and telecommunication solutions shall be  
182 defrayed by pass-through funding and shall be deposited into the  
183 Mississippi Department of Information Technology Services  
184 Revolving Fund unless otherwise specified by the Legislature.  
185 These funds shall only be utilized to pay the actual costs  
186 incurred by the Mississippi Department of Information Technology  
187 Services for providing these shared services to state agencies.  
188 Furthermore, state agencies shall work in full cooperation with  
189 the Board of the Mississippi Department of Information Technology  
190 Services (MDITS) to identify computer equipment or services to  
191 minimize duplication, reduce costs, and improve the efficiency of  
192 providing common technology services across agency boundaries.

193 **SECTION 3.** This act shall take effect and be in force from  
194 and after July 1, 2023.

