

By: Senator(s) Hopson, Polk, Michel,
Hickman, McCaughn, Wiggins

To: Appropriations

SENATE BILL NO. 3022
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF REVENUE, INCLUDING
3 THE HOMESTEAD EXEMPTION DIVISION, THE MOTOR VEHICLE COMPTROLLER
4 FUNCTIONS, THE ALCOHOLIC BEVERAGE CONTROL DIVISION LIQUOR
5 DISTRIBUTION CENTER, THE ENFORCEMENT DIVISION, AND FOR THE PURPOSE
6 OF REIMBURSING THE COUNTIES, COUNTY DISTRICTS AND MUNICIPAL
7 SEPARATE SCHOOL DISTRICTS FOR TAX LOSSES INCURRED BY REASON OF THE
8 EXEMPTION OF HOMES FROM CERTAIN AD VALOREM TAXES, AND FOR THE
9 PURPOSE OF PURCHASING MOTOR VEHICLE LICENSE TAGS FOR FISCAL YEAR
10 2024.

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

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, 2023, and ending June 30, 2024.....
20\$ 55,210,731.00.

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, 2023, and ending
27 June 30, 2024.....\$ 23,418,648.00.

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

30 AUTHORIZED HEADCOUNT:

31 Permanent: 668

32 Time-Limited: 0

33 With the funds herein appropriated, it shall be the agency's
34 responsibility to make certain that funds required for Personal
35 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds
36 appropriated for that purpose unless programs or positions are
37 added to the agency's Fiscal Year 2024 budget by the Mississippi
38 Legislature. The Legislature shall determine the agency's
39 personal services appropriation, which the State Personnel Board
40 shall publish. The agency's personal services appropriation may
41 consist of restricted funds for approved vacancies for Fiscal Year
42 2024 that may not be utilized for active Fiscal Year 2023
43 Headcount. It shall be the agency's responsibility to ensure that
44 the funds provided for vacancies are used to increase headcount
45 and not for promotions, title changes, in-range salary adjustments
46 or any other mechanism for increasing salaries for current
47 employees. It is the Legislature's intention that no employee



48 salary falls below the minimum salary established by the
49 Mississippi State Personnel Board.

50 Additionally, the State Personnel Board shall determine and
51 publish the projected annualized payroll costs based on current
52 employees. It shall be the responsibility of the agency head to
53 ensure that actual personnel expenditures for Fiscal Year 2024 do
54 not exceed the data provided by the Legislative Budget Office. If
55 the agency's Fiscal Year 2024 projected cost exceeds the
56 annualized costs, no salary actions shall be processed by the
57 State Personnel Board except for new hires determined to be
58 essential for the agency.

59 Any transfers or escalations shall be made in accordance with
60 the terms, conditions, and procedures established by law or
61 allowable under the terms set forth within this act. The State
62 Personnel Board shall not escalate positions without written
63 approval from the Department of Finance and Administration. The
64 Department of Finance and Administration shall not provide written
65 approval to escalate any funds for salaries and/or positions
66 without proof of availability of new or additional funds above the
67 appropriated level.

68 No general funds authorized to be expended herein shall be
69 used to replace federal funds and/or other special funds used for
70 salaries authorized under the provisions of this act and which are
71 withdrawn and no longer available.



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

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

84 **SECTION 5.** The money herein appropriated may be used for any
85 expenses which the commission may legally incur. Provided,
86 however, that no part of the money herein appropriated shall be
87 used for the payment of attorney's fees, except upon
88 recommendation of the Governor with the approval of the Attorney
89 General, nor shall any of said funds be used either directly or
90 indirectly for the purpose of paying any clerk, stenographer,
91 assistant, deputy or other employee who may be related by blood or
92 marriage within the third degree, computed by the rule of civil
93 law, to the official employing or having the right of employment
94 or selection thereof, except that when the relationship is by
95 affinity and the person is dead through whom the relationship was
96 established, this rule shall not apply. In the event of any such



97 payment, then the official or person approving and making such
98 payment shall be liable to return to the State of Mississippi and
99 to pay into the State Treasury to the credit of the General Fund
100 three (3) times any such amount so paid to be recovered at suit by
101 the Attorney General.

102 **SECTION 6.** In compliance with the "Mississippi Performance
103 Budget and Strategic Planning Act of 1994," it is the intent of
104 the Legislature that the funds provided herein shall be utilized
105 in the most efficient and effective manner possible to achieve the
106 intended mission of this agency. Based on the funding authorized,
107 this agency shall make every effort to attain the targeted
108 performance measures provided below:

	FY2024
<u>Performance Measures</u>	<u>Target</u>
Tax Administration	
Cost per Unit of Work (Item/Case/Call)	12.67
Cost per Call Center Call Answered	3.87
Audit	
Cost per Audit	932.14
Tax Production per Audit	5,909.09
Tax Enforcement	
Cost per Dollar Collected in Recovery	
Actions	0.06
General Administration	
Average Cost per Return Processed	4.95



122	ROI - Revenue Collected per Dollar of	
123	Expense	150.25
124	Property & Motor Vehicle Services	
125	Cost per Homestead Exemption Application	3.60
126	Cost per Title Issued	2.79
127	ABC Liquor Distribution Center	
128	Cost per Case Shipped	2.48
129	ROI - GF Dollars Returned per Dollar of Cost	11.32
130	Enforcement	
131	Number of Permits-Alcohol	2,400
132	Number of Permits-Medical Cannabis	130
133	Number of Violations-Medical Cannabis	20
134	Average Number of Days to Issue	
135	Permit-Alcohol	23
136	Average Number of Days to Issue	
137	Permit-Medical Cannabis	25
138	Enforcement and Permitting Cost Per	
139	Permit-Alcohol	1,387.70
140	Enforcement and Permitting Cost Per	
141	Permit-Medical Cannabis	4,388.44
142	Percent of Medical Cannabis Permits	
143	Receiving Administrative Action	5.00
144	Percent of Medical Cannabis Permits	
145	Receiving Criminal Action	10.00
146	Percent of Medical Cannabis Permits	



147 Inspected 100.00
148 Percent of Permit Applications
149 Approved-Medical Cannabis 90.00

150 A reporting of the degree to which the performance targets
151 set above have been or are being achieved shall be provided in the
152 agency's budget request submitted to the Joint Legislative Budget
153 Committee for Fiscal Year 2025.

154 **SECTION 7.** In addition to all other sums herein
155 appropriated, the following sum, or so much thereof as may be
156 necessary, is hereby appropriated out of any money in the State
157 General Fund not otherwise appropriated, to the Mississippi
158 Department of Revenue for the purpose of reimbursing the counties
159 of the state, the road districts and school districts therein and
160 the municipal separate school districts, for tax losses incurred
161 by reason of the exemption of homes from certain ad valorem taxes
162 under the provisions of Section 27-33-1 et seq., Mississippi Code
163 of 1972, for the fiscal year beginning July 1, 2023, and ending
164 June 30, 2024.....\$ 92,000,000.00.

165 **SECTION 8.** Each county, road district, school district and
166 municipal separate school district which has incurred a tax loss
167 that is reimbursable under Section 7 of this act shall be
168 reimbursed a sum which is equivalent to the amount of tax loss
169 produced by the application of tax rates annually fixed for
170 maintenance and current expenses to the assessed value of homes,



171 or so much thereof as has been lawfully authorized under the
172 provisions of Section 27-33-1 et seq., Mississippi Code of 1972.

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

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

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



195 taxing district that was produced in the fiscal year before the
196 property of the taxing district was reappraised.

197 **SECTION 10.** In addition to all other sums herein
198 appropriated, the following sum, or so much thereof as may be
199 necessary, is hereby appropriated out of any money in the State
200 Treasury to the credit of the Mississippi Department of Revenue -
201 License Tag Commission from any other special source funds made
202 available to the License Tag Commission, for the fiscal year
203 beginning July 1, 2023, and ending June 30, 2024.....
204\$ 11,300,000.00.

205 **SECTION 11.** None of the funds appropriated in Section 10 of
206 this act shall be expended to purchase motor vehicle license tags
207 made or manufactured by any department, agency or instrumentality
208 of a state other than the State of Mississippi. None of the funds
209 appropriated in this section shall be used for the purchase of
210 bolts, nuts or other fastening devices for attaching said motor
211 vehicle license tags. Provided further, that all motor vehicles
212 belonging to any state department, agency, commission, institution
213 or any other division of state government shall have license tags
214 which shall bear the words "Government" at the bottom of such
215 license tags.

216 **SECTION 12.** It is the intention of the Legislature that
217 whenever two (2) or more bids are received by this agency for the
218 purchase of commodities or equipment, and whenever all things
219 stated in such received bids are equal with respect to price,



220 quality and service, the Mississippi Industries for the Blind
221 shall be given preference. A similar preference shall be given to
222 the Mississippi Industries for the Blind whenever purchases are
223 made without competitive bids.

224 **SECTION 13.** It is the intention of the Legislature that the
225 Mississippi Department of Revenue shall maintain complete
226 accounting and personnel records related to the expenditure of all
227 funds appropriated under this act and that such records shall be
228 in the same format and level of detail as maintained for Fiscal
229 Year 2023. It is further the intention of the Legislature that
230 the agency's budget request for Fiscal Year 2025 shall be
231 submitted to the Joint Legislative Budget Committee in a format
232 and level of detail comparable to the format and level of detail
233 provided during the Fiscal Year 2024 budget request process.

234 **SECTION 14.** Of the funds appropriated in this act, it is the
235 intention of the Legislature that up to Eight Hundred Eleven
236 Thousand Seven Hundred Forty Dollars (\$811,740.00) shall be
237 allocated as follows: to the Municipal Court Collections Program
238 Four Hundred Five Thousand Eight Hundred Seventy Dollars
239 (\$405,870.00) and to the Justice Court Collections Program Four
240 Hundred Five Thousand Eight Hundred Seventy Dollars (\$405,870.00)
241 to be supported from General Fund court assessments.

242 **SECTION 15.** It is the intention of the Legislature that the
243 funds herein appropriated shall be expended in compliance with
244 Section 27-104-25, Mississippi Code of 1972, that no state agency



245 shall incur obligations or indebtedness in excess of their
246 appropriation and that the responsible officers, either personally
247 or upon their official bonds, shall be held responsible for
248 actions contrary to this provision.

249 **SECTION 16.** With the funds appropriated herein, the
250 Department of Revenue is authorized to make payment for expenses
251 incurred during Fiscal Years 2021 to Hilton Garden Inn Clinton,
252 MS, for the following amount.....\$ 2,848.00.

253 **SECTION 17.** The following sum, or so much thereof as may be
254 necessary, is reappropriated out of any money in the Capital
255 Expense Fund not otherwise appropriated for the Department of
256 Revenue for the purpose of reauthorizing the expenditure of
257 Capital Expense Funds, as authorized in SB 3024, 2022 Regular
258 Session to provide for the funding of IT infrastructure, facility
259 repairs, and equipment upgrades for the fiscal year beginning July
260 1, 2023, and ending June 30, 2024.....\$ 1,300,000.00.

261 Notwithstanding the amount reappropriated under this section,
262 the amount that may be expended under the authority of this
263 section, shall not exceed the unexpended balance of the funds
264 remaining as of June 30, 2023, from the amount authorized for the
265 previous fiscal year. In addition, this reappropriation shall not
266 change the purpose for which the funds were originally authorized.

267 **SECTION 18.** The following sum, or so much thereof as may be
268 necessary, is reappropriated out of any money in the Capital
269 Expense Fund not otherwise appropriated for the Department of



270 Revenue for the purpose of reauthorizing the expenditure of
271 Capital Expense Funds, as authorized in SB 3024, 2022 Regular
272 Session, to defray operational expenses related to the Mississippi
273 Medical Cannabis Act for the fiscal year beginning July 1, 2023,
274 and ending June 30, 2024.....\$ 1,800,000.00.

275 Notwithstanding the amount reappropriated under this section,
276 the amount that may be expended under the authority of this
277 section, shall not exceed the unexpended balance of the funds
278 remaining as of June 30, 2023, from the amount authorized for the
279 previous fiscal year. In addition, this reappropriation shall not
280 change the purpose for which the funds were originally authorized.

281 **SECTION 19.** The following sum, or so much thereof as may be
282 necessary, is reappropriated out of any money in the Capital
283 Expense Fund not otherwise appropriated for the Department of
284 Revenue for the purpose of reauthorizing the expenditure of
285 Capital Expense Funds, as authorized in SB 3024, 2022 Regular
286 Session to comply with the provisions of SB 2844, 2022 Regular
287 Session related to contracting with a third party entity to
288 operate the Alcohol Beverage Control Liquor Distribution Center
289 for the fiscal year beginning July 1, 2023, and ending June 30,
290 2024.....\$ 1,920,000.00.

291 Notwithstanding the amount reappropriated under this section,
292 the amount that may be expended under the authority of this
293 section, shall not exceed the unexpended balance of the funds
294 remaining as of June 30, 2023, from the amount authorized for the



295 previous fiscal year. In addition, this reappropriation shall not
296 change the purpose for which the funds were originally authorized.

297 **SECTION 20.** Of the funds appropriated under the provisions
298 of Section 2 of this act, One Million One-Hundred Thousand Dollars
299 (\$1,100,000.00), or so much thereof, shall be derived out of any
300 money in the State Treasury to the credit of the Capital Expense
301 Fund, as created in Section 27-103-303, Mississippi Code of 1972,
302 and allocated in a manner as determined by the Treasurer's
303 Office. This appropriation is made for the purpose of providing
304 the funds necessary to authorize the expenditure of funds for the
305 replacement of computer hardware and other equipment.

306 **SECTION 21.** The money herein appropriated shall be paid by
307 the State Treasurer out of any money in the State Treasury to the
308 credit of the proper fund or funds as set forth in this act, upon
309 warrants issued by the State Fiscal Officer; and the Fiscal
310 Officer shall issue his warrants upon requisitions signed by the
311 proper person, officer or officers, in the manner provided by law.

312 **SECTION 22.** This act shall take effect and be in force from
313 and after July 1, 2023.

