

By: Senator(s) Hopson, Polk, Turner-Ford,
Chism, DeLano, Norwood

To: Appropriations

SENATE BILL NO. 3036
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE MISSISSIPPI GAMING COMMISSION FOR FISCAL YEAR
3 2024.

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

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is hereby appropriated out of any money in the State
7 General Fund not otherwise appropriated for the purpose of
8 defraying the expenses of the Mississippi Gaming Commission for
9 the fiscal year beginning July 1, 2023, and ending

10 June 30, 2024.....\$ 9,022,834.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is appropriated out of any money in the special fund in
13 the State Treasury to the credit of the Mississippi Gaming
14 Commission, for the purpose of defraying the expenses of the
15 commission for the fiscal year beginning July 1, 2023, and ending

16 June 30, 2024.....\$ 1,637,292.00.

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



19 AUTHORIZED HEADCOUNT:

20 Permanent: 120

21 Time-Limited: 0

22 With the funds herein appropriated, it shall be the agency's
23 responsibility to make certain that funds required for Personal
24 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds
25 appropriated for that purpose unless programs or positions are
26 added to the agency's Fiscal Year 2024 budget by the Mississippi
27 Legislature. The Legislature shall determine the agency's
28 personal services appropriation, which the State Personnel Board
29 shall publish. The agency's personal services appropriation may
30 consist of restricted funds for approved vacancies for Fiscal Year
31 2024 that may not be utilized for active Fiscal Year 2023
32 Headcount. It shall be the agency's responsibility to ensure that
33 the funds provided for vacancies are used to increase headcount
34 and not for promotions, title changes, in-range salary adjustments
35 or any other mechanism for increasing salaries for current
36 employees. It is the Legislature's intention that no employee
37 salary falls below the minimum salary established by the
38 Mississippi State Personnel Board.

39 Additionally, the State Personnel Board shall determine and
40 publish the projected annualized payroll costs based on current
41 employees. It shall be the responsibility of the agency head to
42 ensure that actual personnel expenditures for Fiscal Year 2024 do
43 not exceed the data provided by the Legislative Budget Office. If



44 the agency's Fiscal Year 2024 projected cost exceeds the
45 annualized costs, no salary actions shall be processed by the
46 State Personnel Board except for new hires determined to be
47 essential for the agency.

48 Any transfers or escalations shall be made in accordance with
49 the terms, conditions, and procedures established by law or
50 allowable under the terms set forth within this act. The State
51 Personnel Board shall not escalate positions without written
52 approval from the Department of Finance and Administration. The
53 Department of Finance and Administration shall not provide written
54 approval to escalate any funds for salaries and/or positions
55 without proof of availability of new or additional funds above the
56 appropriated level.

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

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

65 **SECTION 4.** Of the funds appropriated in Section 2 of this
66 act, a portion shall be derived from the amount of forfeited
67 property that is seized by the Gaming Commission, which shall be
68 deposited into a special fund created by the Department of Finance



69 and Administration and may be expended by the commission for the
70 specific purpose of increasing law enforcement resources as
71 outlined in Section 41-29-185, Mississippi Code 1972.

72 **SECTION 5.** Of the funds appropriated in Section 2 of this
73 act, a portion shall be derived from the amount that is received
74 by the Gaming Commission under the Gaming Control Act, which shall
75 be deposited into a special fund created by the Department of
76 Finance and Administration and may be expended by the commission
77 for the purpose of investigating, permitting, interagency fees,
78 and providing fingerprint analysis by the Department of Public
79 Safety.

80 **SECTION 6.** It is the intention of the Legislature that
81 whenever two (2) or more bids are received by this agency for the
82 purchase of commodities or equipment, and whenever all things
83 stated in such received bids are equal with respect to price,
84 quality and service, the Mississippi Industries for the Blind
85 shall be given preference. A similar preference shall be given to
86 the Mississippi Industries for the Blind whenever purchases are
87 made without competitive bids.

88 **SECTION 7.** It is the intention of the Legislature that the
89 Gaming Commission shall maintain complete accounting and personnel
90 records related to the expenditure of all funds appropriated under
91 this act and that such records shall be in the same format and
92 level of detail as maintained for Fiscal Year 2023. It is further
93 the intention of the Legislature that the agency's budget request



94 for Fiscal Year 2025 shall be submitted to the Joint Legislative
 95 Budget Committee in a format and level of detail comparable to the
 96 format and level of detail provided during the Fiscal Year 2024
 97 budget request process.

98 **SECTION 8.** In compliance with the "Mississippi Performance
 99 Budget and Strategic Planning Act of 1994," it is the intent of
 100 the Legislature that the funds provided herein shall be utilized
 101 in the most efficient and effective manner possible to achieve the
 102 intended mission of this agency. Based on the funding authorized,
 103 this agency shall make every effort to attain the targeted
 104 performance measures provided below:

| | FY2024 |
|--|---------------|
| <u>Performance Measures</u> | <u>Target</u> |
| Riverboat Gaming | |
| Annual State Riverboat Gaming Revenues | |
| (\$ in Billions) | 2.00 |
| Number of Casinos Regulated | 26.00 |
| Average Cost per Employee to Total State | |
| Riverboat Gaming Revenues | 18,476,000.00 |
| Charitable Bingo | |
| Number of Bingo Applications Received | 30.00 |
| Number of Bingo Halls Regulated | 50.00 |
| Average Cost per Employee to Total State | |
| Charitable Bingo Revenues | 4,676,905.00 |



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

122 **SECTION 9.** It is the intention of the Legislature that the
123 funds herein appropriated shall be expended in compliance with
124 Section 27-104-25, Mississippi Code of 1972, that no state agency
125 shall incur obligations or indebtedness in excess of their
126 appropriation and that the responsible officers, either personally
127 or upon their official bonds, shall be held responsible for
128 actions contrary to this provision.

129 **SECTION 10.** Of the funds appropriated in Section 1 of this
130 act, it is the intention of the Legislature that Seventy-five
131 Thousand Dollars (\$75,000.00) is authorized to be transferred to
132 the nonprofit organization, Mississippi Council on Compulsive
133 Gambling, which provides crisis intervention and support services.

134 **SECTION 11.** The money herein appropriated shall be paid by
135 the State Treasurer out of any money in the State Treasury to the
136 credit of the proper fund or funds as set forth in this act, upon
137 warrants issued by the State Fiscal Officer; and the State Fiscal
138 Officer shall issue his warrants upon requisitions signed by the
139 proper person, officer or officers in the manner provided by law.

140 **SECTION 12.** This act shall take effect and be in force from
141 and after July 1, 2023.

