

By: Senator(s) Hopson, Polk, Blackwell,
Simmons (13th), Williams

To: Appropriations

SENATE BILL NO. 3043

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2024.

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

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, to defray the expenses of
7 the Department of Finance and Administration for the fiscal year
8 beginning July 1, 2023, and ending June 30, 2024.....
9\$ 37,084,220.00.

10 **SECTION 2.** The following sum, or so much thereof as may be
11 necessary, is hereby appropriated out of any money in the State
12 Treasury to the credit of the Department of Finance and
13 Administration for the purpose of defraying the expenses incurred
14 in the operation of the various offices of the department for the
15 fiscal year beginning July 1, 2023, and ending June 30, 2024.....
16\$ 33,758,804.00.

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



19 AUTHORIZED HEADCOUNT:

20 Permanent: 303

21 Time-Limited: 1

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 shall be published by the
29 State Personnel Board. Additionally, the State Personnel Board
30 shall determine and publish the projected annualized payroll costs
31 based on current employees. It shall be the responsibility of the
32 agency head to ensure that actual personnel expenditures for
33 Fiscal Year 2024 do not exceed the data provided by the
34 Legislative Budget Office. If the agency's Fiscal Year 2024
35 projected cost exceeds the annualized costs, no salary actions
36 shall be processed by the State Personnel Board with the exception
37 of new hires that are determined to be essential for the agency.

38 Any transfers or escalations shall be made in accordance with
39 the terms, conditions and procedures established by law or
40 allowable under the terms set forth within this act. The State
41 Personnel Board shall not escalate positions without written
42 approval from the Department of Finance and Administration. The
43 Department of Finance and Administration shall not provide written



44 approval to escalate any funds for salaries and/or positions
45 without proof of availability of new or additional funds above the
46 appropriated level.

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

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

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

61 **SECTION 4.** In addition to all other sums herein
62 appropriated, the following sum, or so much thereof as may be
63 necessary, is hereby appropriated out of any money in the Tort
64 Claims Trust Fund not otherwise appropriated, for the purpose of
65 defraying the expenses of the Tort Claims Board in the
66 administration of the Tort Claims Act for the fiscal year
67 beginning July 1, 2023, and ending June 30, 2024.....
68\$ 6,552,495.00.



69 **SECTION 5.** Of the funds appropriated under the provisions of
70 this act, the following positions are authorized:

71 AUTHORIZED HEADCOUNT:

72 Permanent: 8

73 Time-Limited: 0

74 With the funds herein appropriated, it shall be the agency's
75 responsibility to make certain that funds required for Personal
76 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds
77 appropriated for that purpose unless programs or positions are
78 added to the agency's Fiscal Year 2024 budget by the Mississippi
79 Legislature. The Legislature shall determine the agency's
80 personal services appropriation, which shall be published by the
81 State Personnel Board. Additionally, the State Personnel Board
82 shall determine and publish the projected annualized payroll costs
83 based on current employees. It shall be the responsibility of the
84 agency head to ensure that actual personnel expenditures for
85 Fiscal Year 2024 do not exceed the data provided by the
86 Legislative Budget Office. If the agency's Fiscal Year 2024
87 projected cost exceeds the annualized costs, no salary actions
88 shall be processed by the State Personnel Board with the exception
89 of new hires that are determined to be essential for the agency.

90 Any transfers or escalations shall be made in accordance with
91 the terms, conditions and procedures established by law or
92 allowable under the terms set forth within this act. The State
93 Personnel Board shall not escalate positions without written



94 approval from the Department of Finance and Administration. The
95 Department of Finance and Administration shall not provide written
96 approval to escalate any funds for salaries and/or positions
97 without proof of availability of new or additional funds above the
98 appropriated level.

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

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

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

113 **SECTION 6.** In addition to all other sums herein
114 appropriated, the following sum, or so much thereof as may be
115 necessary, is hereby appropriated out of any money in the State
116 General Fund not otherwise appropriated, for the purpose of
117 defraying the expenses of the Mississippi Commission on the Status



118 of Women for the fiscal year beginning July 1, 2023, and ending
119 June 30, 2024.....\$ 39,995.00.

120 **SECTION 7.** In addition to all other sums herein
121 appropriated, the following sum, or so much thereof as may be
122 necessary, is hereby appropriated out of any money in the State
123 Treasury to the credit of the Mississippi Commission on the Status
124 of Women for the purpose of defraying the expenses of the
125 commission for the fiscal year beginning July 1, 2023, and ending
126 June 30, 2024.....\$ 7,265.00.

127 This appropriation is made for the purpose of providing funds
128 to defray the expense of the Mississippi Commission on the Status
129 of Women as established pursuant to Sections 43-59-1 through
130 43-59-14, Mississippi Code of 1972.

131 **SECTION 8.** Of the funds appropriated under the provisions of
132 Sections 6 and 7 of this act, the following positions are
133 authorized:

134 AUTHORIZED HEADCOUNT:
135 Permanent: 1
136 Time-Limited: 0

137 With the funds herein appropriated, it shall be the agency's
138 responsibility to make certain that funds required for Personal
139 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds
140 appropriated for that purpose unless programs or positions are
141 added to the agency's Fiscal Year 2024 budget by the Mississippi
142 Legislature. The Legislature shall determine the agency's



143 personal services appropriation, which shall be published by the
144 State Personnel Board. Additionally, the State Personnel Board
145 shall determine and publish the projected annualized payroll costs
146 based on current employees. It shall be the responsibility of the
147 agency head to ensure that actual personnel expenditures for
148 Fiscal Year 2024 do not exceed the data provided by the
149 Legislative Budget Office. If the agency's Fiscal Year 2024
150 projected cost exceeds the annualized costs, no salary actions
151 shall be processed by the State Personnel Board with the exception
152 of new hires that are determined to be essential for the agency.

153 Any transfers or escalations shall be made in accordance with
154 the terms, conditions and procedures established by law or
155 allowable under the terms set forth within this act. The State
156 Personnel Board shall not escalate positions without written
157 approval from the Department of Finance and Administration. The
158 Department of Finance and Administration shall not provide written
159 approval to escalate any funds for salaries and/or positions
160 without proof of availability of new or additional funds above the
161 appropriated level.

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

166 None of the funds herein appropriated shall be used in
167 violation of Internal Revenue Service's Publication 15-A relating



168 to the reporting of income paid to contract employees, as
169 interpreted by the Office of the State Auditor.

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

176 **SECTION 9.** In addition to all other sums herein
177 appropriated, the following sum, or so much thereof as may be
178 necessary, is appropriated out of any money in the State General
179 Fund for the purpose of defraying the expenses of State Property
180 Insurance for the fiscal year beginning July 1, 2023, and ending
181 June 30, 2024.....\$ 13,865,258.00.

182 **SECTION 10.** Of the funds herein appropriated, it is the
183 intention of the Legislature that two (2) of the allotted
184 Full-Time Permanent Headcount in Section 3 of this act may be used
185 for performing related administrative duties of the State Property
186 Insurance Program.

187 **SECTION 11.** In addition to all other sums herein
188 appropriated, the following sum, or so much thereof as may be
189 necessary, is appropriated out of any money in the State General
190 Fund not otherwise appropriated, to the Department of Finance and
191 Administration for the purpose of providing a grant to the



192 Mississippi Home Corporation, for the fiscal year beginning
193 July 1, 2023, and ending June 30, 2024.....\$ 1,810,227.00.

194 **SECTION 12.** The funds appropriated in Section 11 of this act
195 shall be targeted to individuals with disabilities or individuals
196 with serious mental illnesses who:

197 (1) Are being discharged from a state psychiatric hospital
198 after a stay of more than ninety (90) days; or, nursing facility,
199 or intermediate care facility for individuals with intellectual
200 disabilities after a stay of more than ninety (90) days; or

201 (2) Have been discharged from a state psychiatric hospital
202 within the last two (2) years; and

203 (a) Had multiple hospital visits in the last year due
204 to mental illness; or

205 (b) Are known to the mental health or state-housing
206 agency to have been arrested or incarcerated in the last year due
207 to conduct related to mental illness; or

208 (c) Are known to the mental health or state-housing
209 agency to have been homeless for one (1) full year or have had
210 four (4) or more episodes of homelessness in the last three (3)
211 years; or

212 (3) Lack a fixed, regular, and adequate nighttime residence
213 and includes a subset for an individual who is exiting an
214 institution where he or she resided for ninety (90) days or less
215 and who resides in an emergency shelter or a place not meant for
216 human habitation immediately before entering that institution.



217 Any funds appropriated herein to hire additional staff or
218 employ staff shall only be used to implement this housing program.

219 **SECTION 13.** It is the intention of the Legislature that an
220 annual financial report based upon the state's fiscal year shall
221 be provided to the Attorney General, the Chairman of Senate
222 Appropriations, the Chairman of House Appropriations, and the
223 Legislative Budget Office.

224 **SECTION 14.** It is the intention of the Legislature that none
225 of the funds appropriated under the provisions of this act for the
226 Mississippi Home Corporation (MHC) shall be expended for the
227 purpose of making a payment of any kind or for any purpose,
228 directly or indirectly, to a member of the State of Mississippi
229 Legislature, state official, MHC board member, or person who has
230 been a member of the MHC within the last year.

231 **SECTION 15.** In addition to all other sums herein
232 appropriated, the following sum, or so much thereof as may be
233 necessary, is hereby appropriated out of any money in the State
234 Treasury to the credit of the Broadband Expansion and
235 Accessibility of Mississippi (BEAM) as established in Sections
236 77-19-1 through 77-19-17, Mississippi Code of 1972, for the
237 purpose of defraying the expenses of the commission for the fiscal
238 year beginning July 1, 2023, and ending June 30, 2024.....
239\$ 162,949,809.00.

240 **SECTION 16.** Of the funds appropriated under the provisions
241 of Section 15 of this act, the following positions are authorized:



242 AUTHORIZED HEADCOUNT:

243 Permanent: 6

244 Time-Limited: 0

245 With the funds herein appropriated, it shall be the agency's
246 responsibility to make certain that funds required for Personal
247 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds
248 appropriated for that purpose unless programs or positions are
249 added to the agency's Fiscal Year 2024 budget by the Mississippi
250 Legislature. The Legislature shall determine the agency's
251 personal services appropriation, which shall be published by the
252 State Personnel Board. Additionally, the State Personnel Board
253 shall determine and publish the projected annualized payroll costs
254 based on current employees. It shall be the responsibility of the
255 agency head to ensure that actual personnel expenditures for
256 Fiscal Year 2024 do not exceed the data provided by the
257 Legislative Budget Office. If the agency's Fiscal Year 2024
258 projected cost exceeds the annualized costs, no salary actions
259 shall be processed by the State Personnel Board with the exception
260 of new hires that are determined to be essential for the agency.

261 Any transfers or escalations shall be made in accordance with
262 the terms, conditions and procedures established by law or
263 allowable under the terms set forth within this act. The State
264 Personnel Board shall not escalate positions without written
265 approval from the Department of Finance and Administration. The
266 Department of Finance and Administration shall not provide written



267 approval to escalate any funds for salaries and/or positions
268 without proof of availability of new or additional funds above the
269 appropriated level.

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

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

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

284 **SECTION 17.** It is the intention of the Legislature that the
285 Department of Finance and Administration shall maintain complete
286 accounting and personnel records related to the expenditure of all
287 funds appropriated under this act and that such records shall be
288 in the same format and level of detail as maintained for Fiscal
289 Year 2023. It is further the intention of the Legislature that
290 the agency's budget request for Fiscal Year 2025 shall be
291 submitted to the Joint Legislative Budget Committee in a format



292 and level of detail comparable to the format and level of detail
293 provided during the Fiscal Year 2024 budget request process.

294 **SECTION 18.** The department is authorized to expend available
295 funds on technology or equipment upgrades or replacements when it
296 will generate savings through efficiency or when the savings
297 generated from such upgrades or replacements exceed expenditures
298 thereof.

299 **SECTION 19.** It is the intention of the Legislature that
300 whenever two (2) or more bids are received by this agency for the
301 purchase of commodities or equipment, and whenever all things
302 stated in such received bids are equal with respect to price,
303 quality and service, the Mississippi Industries for the Blind
304 shall be given preference. A similar preference shall be given to
305 the Mississippi Industries for the Blind whenever purchases are
306 made without competitive bids.

307 **SECTION 20.** The Bureau of Building, Grounds and Real
308 Property Management of the Office of General Services is hereby
309 expressly authorized and empowered to receive, budget and expend
310 any state, local or other source funds designated for supplemental
311 funding of construction and/or repairs and renovation projects.
312 The Bureau of Building, Grounds and Real Property Management of
313 the Office of General Services shall not use any of the funds
314 authorized in this section to pay salaries. For the purposes of
315 this section, the Bureau of Building, Grounds and Real Property
316 Management of the Office of General Services does not have the



317 authority to escalate from the Capital Expense Fund or the Working
318 Cash-Stabilization Reserve Fund.

319 **SECTION 21.** Of the funds appropriated in Section 2 of this
320 act, it is the intention of the Legislature that an amount not to
321 exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00)
322 is authorized to be expended for the purpose of transferring funds
323 to the Bureau of Building, Grounds and Real Property Management
324 for the administration of projects for the repair and maintenance
325 of state-owned buildings.

326 **SECTION 22.** A report based on expenditures incurred during
327 the current and immediate past fiscal years shall be provided to
328 the Legislative Budget Office each regularly scheduled legislative
329 session. This report should reflect expenditures as a result of
330 the operation of the Robert E. Lee Building, the Woolfolk State
331 Office Building, the Gartin and Sillers Buildings, the Capitol
332 Buildings, the Central High School Building, the Robert G. Clark,
333 Jr. Building and other state buildings, and this report should
334 contain any steps taken to reduce operating costs.

335 **SECTION 23.** It is the intention of the Legislature that no
336 state-owned aircraft shall be utilized by any person except for
337 official business only.

338 **SECTION 24.** Of the funds appropriated in Section 2 of this
339 act, an amount not to exceed One Hundred Thousand Dollars
340 (\$100,000.00) is authorized to be expended to defray any shortfall



341 in the Master Lease Purchase Program as defined in Section
342 31-7-10, Mississippi Code of 1972.

343 **SECTION 25.** Of the funds appropriated in Section 2 of this
344 act, Twelve Million Dollars (\$12,000,000.00) shall be expended
345 from the Capitol Complex Improvement District Project Fund, as
346 established in Section 29-5-215, Mississippi Code of 1972.

347 **SECTION 26.** Notwithstanding any other provision, the agency
348 shall have the authority to escalate its headcount for any
349 additional operational needs related to Coronavirus State Fiscal
350 Recovery Funds, upon approval of the Department of Finance and
351 Administration and the State Personnel Board.

352 **SECTION 27.** It is the intention of the Legislature that the
353 funds herein appropriated shall be expended in compliance with
354 Section 27-104-25, Mississippi Code of 1972, that no state agency
355 shall incur obligations or indebtedness in excess of their
356 appropriation and that the responsible officers, either personally
357 or upon their official bonds, shall be held responsible for
358 actions contrary to this provision.

359 **SECTION 28.** The money herein appropriated shall be paid by
360 the State Treasurer out of any money in the State Treasury to the
361 credit of the proper fund or funds as set forth in this act, upon
362 warrants issued by the State Fiscal Officer; and the State Fiscal
363 Officer shall issue his warrants upon requisitions signed by the
364 proper person, officer or officers, in the manner provided by law.



365 **SECTION 29.** This act shall take effect and be in force from
366 and after July 1, 2023, and shall stand repealed from and after
367 June 30, 2023.

