

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

To: Appropriations

SENATE BILL NO. 3045  
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INFORMATION  
3 TECHNOLOGY SERVICES FOR FISCAL YEAR 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 Department of  
9 Information Technology Services, for the fiscal year beginning  
10 July 1, 2023, and ending June 30, 2024.....\$ 26,440,476.00.

11 **SECTION 2.** The following sum, or so much thereof as may be  
12 necessary, is hereby appropriated out of any money in the special  
13 fund in the State Treasury to the credit of the Mississippi  
14 Department of Information Technology Services which are collected  
15 by or otherwise become available for the purpose of defraying  
16 expenses of the Mississippi Department of Information Technology  
17 Services as established in Section 27-104-203, Mississippi Code of



18 1972, for the fiscal year beginning July 1, 2023, and ending  
19 June 30, 2024.....\$ 25,252,878.00.

20 The funds in this section are provided to defray the costs  
21 incurred by the Department of Information Technology Services for  
22 providing telecommunication services, data center services, and/or  
23 other information technology services to state agencies.

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

26 AUTHORIZED HEADCOUNT:

27 Permanent: 127

28 Time-Limited: 0

29 With the funds herein appropriated, it shall be the agency's  
30 responsibility to make certain that funds required for Personal  
31 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds  
32 appropriated for that purpose unless programs or positions are  
33 added to the agency's Fiscal Year 2024 budget by the Mississippi  
34 Legislature. The Legislature shall determine the agency's  
35 personal services appropriation, which the State Personnel Board  
36 shall publish. The agency's personal services appropriation may  
37 consist of restricted funds for approved vacancies for Fiscal Year  
38 2024 that may not be utilized for active Fiscal Year 2023  
39 headcount. It shall be the agency's responsibility to ensure that  
40 the funds provided for vacancies are used to increase headcount  
41 and not for promotions, title changes, in-range salary adjustments  
42 or any other mechanism for increasing salaries for current



43 employees. It is the Legislature's intention that no employee  
44 salary falls below the minimum salary established by the  
45 Mississippi State Personnel Board.

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

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

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



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

72 **SECTION 4.** Of the funds appropriated in Section 1 of this  
73 act, it is the intention of the Legislature that the Executive  
74 Director of Information Technology Services (ITS) shall have  
75 authority to transfer an amount not to exceed Seven Hundred Fifty  
76 Thousand Dollars (\$750,000.00) to the ITS Revolving Fund  
77 (3360900000). The purpose of this authority is to provide  
78 operating cash to alleviate cash flow problems in the ITS  
79 Revolving Fund. Any funds transferred during the fiscal year  
80 shall be transferred back to the State General Fund before the end  
81 of the lapse period for the fiscal year.

82 **SECTION 5.** In addition to all other funds appropriated  
83 herein, the following sum, or so much thereof as may be necessary,  
84 is appropriated out of any money in the State General Fund, not  
85 otherwise appropriated, for the purpose of defraying the expenses  
86 of the Wireless Communication Commission for the fiscal year  
87 beginning July 1, 2023, and ending June 30, 2024.....  
88 .....\$ 11,352,814.00.

89 The Wireless Communication Commission shall follow all state  
90 procurement and bid laws for all contracts and consultants.

91 **SECTION 6.** The following sum, or so much thereof as may be  
92 necessary, is hereby appropriated out of any money in the special



93 fund in the State Treasury to the credit of the Wireless  
94 Communication Commission which are collected by or otherwise  
95 become available for the purpose of defraying expenses of the  
96 Wireless Communication Commission for the fiscal year beginning  
97 July 1, 2023, and ending June 30, 2024..... \$ 11,000,000.00.

98 **SECTION 7.** Of the funds appropriated under the provisions of  
99 this act, the following positions are authorized:

100 AUTHORIZED HEADCOUNT:

101 Permanent: 10

102 Time-Limited: 0

103 With the funds herein appropriated, it shall be the agency's  
104 responsibility to make certain that funds required for Personal  
105 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds  
106 appropriated for that purpose unless programs or positions are  
107 added to the agency's Fiscal Year 2024 budget by the Mississippi  
108 Legislature. The Legislature shall determine the agency's  
109 personal services appropriation, which the State Personnel Board  
110 shall publish. The agency's personal services appropriation may  
111 consist of restricted funds for approved vacancies for Fiscal Year  
112 2024 that may not be utilized for active Fiscal Year 2023  
113 headcount. It shall be the agency's responsibility to ensure that  
114 the funds provided for vacancies are used to increase headcount  
115 and not for promotions, title changes, in-range salary adjustments  
116 or any other mechanism for increasing salaries for current  
117 employees. It is the Legislature's intention that no employee



118 salary falls below the minimum salary established by the  
119 Mississippi State Personnel Board.

120         Additionally, the State Personnel Board shall determine and  
121 publish the projected annualized payroll costs based on current  
122 employees. It shall be the responsibility of the agency head to  
123 ensure that actual personnel expenditures for Fiscal Year 2024 do  
124 not exceed the data provided by the Legislative Budget Office. If  
125 the agency's Fiscal Year 2024 projected cost exceeds the  
126 annualized costs, no salary actions shall be processed by the  
127 State Personnel Board except for new hires determined to be  
128 essential for the agency.

129         Any transfers or escalations shall be made in accordance with  
130 the terms, conditions, and procedures established by law or  
131 allowable under the terms set forth within this act. The State  
132 Personnel Board shall not escalate positions without written  
133 approval from the Department of Finance and Administration. The  
134 Department of Finance and Administration shall not provide written  
135 approval to escalate any funds for salaries and/or positions  
136 without proof of availability of new or additional funds above the  
137 appropriated level.

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



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

146 The commission is hereby authorized to escalate federal funds  
147 and other special funds in accordance with rules and regulations  
148 of the Department of Finance and Administration.

149 **SECTION 8.** It is the intention of the Legislature that none  
150 of the funds appropriated under the provisions of this act for the  
151 Wireless Communication Commission (WCC) shall be expended for the  
152 purpose of making a payment of any kind or for any purpose,  
153 directly or indirectly, to a member of the State of Mississippi  
154 Legislature, state official, WCC member, or person who has been a  
155 member of the WCC within the last year.

156 **SECTION 9.** It is the intention of the Legislature that the  
157 Department of Information Technology Services shall maintain  
158 complete accounting and personnel records related to the  
159 expenditure of all funds appropriated under the provisions of this  
160 act and that such records shall be in the same format and level of  
161 details as maintained for Fiscal Year 2023. It is further the  
162 intention of the Legislature that the budget request for Fiscal  
163 Year 2025 shall be submitted to the Joint Legislative Budget  
164 Committee in a format and level of detail comparable to the format  
165 and level of detail provided during the Fiscal Year 2024 budget  
166 request process.



167           **SECTION 10.** It is the intention of the Legislature that  
168 whenever two (2) or more bids are received by this agency for the  
169 purchase of commodities or equipment, and whenever all things  
170 stated in such received bids are equal with respect to price,  
171 quality and service, the Mississippi Industries for the Blind  
172 shall be given preference. A similar preference shall be given to  
173 the Mississippi Industries for the Blind whenever purchases are  
174 made without competitive bids.

175           **SECTION 11.** It is the intention of the Legislature that the  
176 funds herein appropriated shall be expended in compliance with  
177 Section 27-104-25, Mississippi Code of 1972, that no state agency  
178 shall incur obligations or indebtedness in excess of their  
179 appropriation and that the responsible officers, either personally  
180 or upon their official bonds, shall be held responsible for  
181 actions contrary to this provision.

182           **SECTION 12.** Of the funds appropriated under the provisions  
183 of Section 6 of this act, Eleven Million Dollars (\$11,000,000.00),  
184 or so much thereof, shall be derived out of any money in the State  
185 Treasury to the credit of the Capital Expense Fund, as created in  
186 Section 27-103-303, Mississippi Code of 1972, and allocated in a  
187 manner as determined by the Treasurer's Office. These funds are  
188 provided for the completion of the statewide refurbishment of the  
189 Mississippi Wireless Information Network (MSWIN) system.

190           **SECTION 13.** The following sum, or so much thereof as may be  
191 necessary, is reappropriated out of any money in the Capital





192 Expense Fund not otherwise appropriated for the Wireless  
193 Communication Commission for the purpose of reauthorizing the  
194 expenditure of Capital Expense Fund, as appropriated in SB 3047,  
195 2022 Regular Session, for the statewide refurbishment of the  
196 Mississippi Wireless Information Network (MSWIN) system for the  
197 fiscal year beginning July 1, 2023, and ending  
198 June 30, 2024.....\$ 3,904,644.00.

199 Notwithstanding the amount reappropriated under this section,  
200 the amount that may be expended under the authority of this  
201 section shall not exceed the unexpended balance of the funds  
202 remaining as of June 30, 2023, from the amount authorized for the  
203 previous fiscal year. In addition, this reappropriation shall not  
204 change the purpose for which the funds were originally authorized.

205 **SECTION 14.** The money herein appropriated shall be paid by  
206 the State Treasurer out of any money in the State Treasury to the  
207 credit of the proper fund or funds as set forth in this act, upon  
208 warrants issued by the State Fiscal Officer; and the State Fiscal  
209 Officer shall issue his warrants upon requisitions signed by the  
210 proper person, officer or officers, in the manner provided by law.

211 **SECTION 15.** This act shall take effect and be in force from  
212 and after July 1, 2023.

