

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

To: Appropriations

SENATE BILL NO. 3049
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 OFFICE OF THE SECRETARY OF STATE 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, for the support and
7 maintenance of the Secretary of State for the fiscal year
8 beginning July 1, 2023, and ending June 30, 2024.....
9\$ 13,253,565.00.

10 **SECTION 2.** The following sum, or so much thereof as may be
11 necessary, is hereby authorized for expenditure out of any special
12 source funds which are collected by or otherwise become available
13 for the purpose of defraying the expenses of the Secretary of
14 State for the fiscal year beginning July 1, 2023, and ending
15 June 30, 2024.....\$ 17,420,640.00.

16 **SECTION 3.** Of the funds appropriated under the provisions of
17 Section 1, the following positions are authorized:

18 AUTHORIZED HEADCOUNT:



19 Permanent: 96

20 Time-Limited: 12

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

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



44 annualized costs, no salary actions shall be processed by the
45 State Personnel Board except for new hires determined to be
46 essential for the agency.

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

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

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

64 **SECTION 4.** None of the funds appropriated by this act shall
65 be expended for any purpose that is not actually required or
66 necessary for performing any of the powers or duties of the Office
67 of the Secretary of State that are authorized by the Mississippi



68 Constitution of 1890, state or federal law, or rules or
69 regulations that implement state or federal law.

70 **SECTION 5.** No part of the funds appropriated herein shall be
71 used, either directly or indirectly, for the purpose of paying any
72 clerk, stenographer, assistant, deputy, or other person who may be
73 related by blood or marriage within the third degree, computed by
74 the rules of the civil law, to the official employing or having
75 the right of employment or selection thereof; and in the event of
76 any such payment, then the official or person approving and making
77 or receiving such payment shall be jointly and severally liable to
78 return to the State of Mississippi and to pay into the State
79 Treasury three (3) times any such amount so paid or received, to
80 be recovered at suit of the Attorney General; provided that when
81 the relationship is by affinity and the person through whom the
82 relationship was established is dead, this provision shall not
83 apply.

84 **SECTION 6.** Of the funds appropriated in Section 1 of this
85 act, the Secretary of State may use funds appropriated for the
86 purposes of defraying litigation expenses associated with the
87 enforcement of the Mississippi Securities Act, the Regulation of
88 Charitable Solicitations Act, and the administration of the Public
89 Trust.

90 **SECTION 7.** In compliance with the "Mississippi Performance
91 Budget and Strategic Planning Act of 1994," it is the intent of
92 the Legislature that the funds provided herein shall be utilized



93 in the most efficient and effective manner possible to achieve the
 94 intended mission of this agency. Based on the funding authorized,
 95 this agency shall make every effort to attain the targeted
 96 performance measures provided below:

	FY2024
<u>Performance Measures</u>	<u>Target</u>
99 Business Services	
100 Percent of Business Services Customer	
101 Phone Calls Answered	95.00
102 Elections	
103 Number of Poll Workers to Successfully	
104 Complete the Online Training Program	82
105 Number of Voter Registrations Updated on	
106 Secure Online Website	6,400
107 Percent of Poll Workers who Successfully	
108 Complete the Online Poll Manager	
109 Training on Their First Attempt	60.00
110 Publications	
111 Number of Visits to the Secretary of	
112 State's Website	9,000,000
113 Public Lands	
114 Number of Tax-Forfeited Properties Sold	2,000
115 Support Services	
116 Support Services as a Percent of Total	
117 Agency Expenditures	27.00



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 8.** Of the funds appropriated in Section 1 of this
123 act, no more than Five Hundred Thousand Dollars (\$500,000.00) is
124 provided for paying principal and interest on bond issues for
125 county voting systems.

126 **SECTION 9.** Of the funds appropriated in Section 2 of this
127 act, One Million Seven Hundred Fifty Thousand Dollars
128 (\$1,750,000.00), or so much thereof as may be necessary, is
129 appropriated out of any money in the State Treasury to the credit
130 of the Land Records Maintenance Fund, for the purpose of making
131 distributions to local governments for taxes owed during the
132 fiscal year.

133 **SECTION 10.** Of the funds appropriated in Section 2 of this
134 act, Four Million Two Hundred Fifteen Thousand Three Hundred
135 Ninety-three Dollars (\$4,215,393.00), or so much thereof as may be
136 necessary, is appropriated out of any money in the State Treasury
137 to the credit of the Elections Support Fund, for the purpose of
138 acquiring, upgrading, maintaining, or repairing voting equipment,
139 systems, and supplies, hiring temporary technical support,
140 conducting elections using such voting equipment or systems and
141 training election officials during the fiscal year.



142 **SECTION 11.** Of the funds appropriated in Section 2 of this
143 act, Eleven Million Four Hundred Fifty-five Thousand Two Hundred
144 Forty-seven Dollars (\$11,455,247.00), or so much thereof as may be
145 necessary, is appropriated out of any money in the State Treasury
146 to the credit of the Public Trust Tidelands Fund, and is
147 authorized to be transferred by the Secretary of State to the
148 Mississippi Department of Marine Resources.

149 **SECTION 12.** It is the intention of the Legislature that
150 whenever two (2) or more bids are received by this agency for the
151 purchase of commodities or equipment, and whenever all things
152 stated in such received bids are equal with respect to price,
153 quality and service, the Mississippi Industries for the Blind
154 shall be given preference. A similar preference shall be given to
155 the Mississippi Industries for the Blind whenever purchases are
156 made without competitive bids.

157 **SECTION 13.** Of the funds appropriated in Section 1 of this
158 act, One Million Dollars (\$1,000,000.00) is for the purpose of
159 expenses related to cybersecurity and election integrity.

160 **SECTION 14.** The following sum, or so much thereof as may be
161 necessary, is reappropriated out of any money in the Capital
162 Expense Fund not otherwise appropriated to the Secretary of State
163 for the purpose of reauthorizing the expenditure of Capital
164 Expense Funds, as authorized in SB 3052, 2022 Regular Session to
165 at the Secretary of State for the purpose of the Mississippi
166 Voting Modernization Act, Senate Bill 2879, 2022 Regular Session



167 for the fiscal year beginning July 1, 2023, and ending June 30,
168 2024.....\$ 6,536,207.00.

169 Notwithstanding the amount reappropriated under this section,
170 the amount that may be expended under the authority of this
171 section shall not exceed the unexpended balance of the funds
172 remaining as of June 30, 2023, from the amount authorized for the
173 previous fiscal year. In addition, this reappropriation shall not
174 change the purpose for which the funds were originally authorized.

175 **SECTION 15.** The money herein appropriated shall be paid by
176 the State Treasurer out of any money in the State Treasury to the
177 credit of the proper fund or funds as set forth in this act, upon
178 warrants issued by the State Fiscal Officer; and the State Fiscal
179 Officer shall issue his warrants upon requisitions signed by the
180 proper person, officer or officers in the manner provided by law.

181 **SECTION 16.** This act shall take effect and be in force from
182 and after July 1, 2023.

