

House Amendments to Senate Bill No. 3012

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

4 **SECTION 1.** The following sum of money, or so much thereof as
5 may be necessary, is appropriated out of any money in the State
6 General Fund not otherwise appropriated, to defray the expenses of
7 the Department of Public Safety for the fiscal year beginning
8 July 1, 2023, and ending June 30, 2024.....\$ 137,975,403.00.

9 **SECTION 2.** The following sum, or so much thereof as may be
10 necessary, is appropriated out of any money in the State Treasury
11 to the credit of the Department of Public Safety for the purpose
12 of defraying the expenses incurred in the operation of the various
13 divisions of the department for the fiscal year beginning
14 July 1, 2023, and ending June 30, 2024.....\$ 110,476,931.00.

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

17 AUTHORIZED HEADCOUNT:

18 Permanent: 1,598

19 Time-Limited: 78

20 With the funds herein appropriated, it shall be the agency's
21 responsibility to make certain that funds required for Personal
22 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds
23 appropriated for that purpose unless programs or positions are
24 added to the agency's Fiscal Year 2024 budget by the Mississippi
25 Legislature. The Legislature shall determine the agency's
26 personal services appropriation, which shall be published by the
27 State Personnel Board. Additionally, the State Personnel Board
28 shall determine and publish the projected annualized payroll costs
29 based on current employees. It shall be the responsibility of the
30 agency head to ensure that actual personnel expenditures for
31 Fiscal Year 2024 do not exceed the data provided by the
32 Legislative Budget Office. If the agency's Fiscal Year 2024
33 projected cost exceeds the annualized costs, no salary actions
34 shall be processed by the State Personnel Board with the exception
35 of new hires that are determined to be essential for the agency.

36 Any transfers or escalations shall be made in accordance with
37 the terms, conditions and procedures established by law or
38 allowable under the terms set forth within this act. The State
39 Personnel Board shall not escalate positions without written
40 approval from the Department of Finance and Administration. The
41 Department of Finance and Administration shall not provide written
42 approval to escalate any funds for salaries and/or positions
43 without proof of availability of new or additional funds above the
44 appropriated level.

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

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

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

59 **SECTION 4.** The Commissioner of Public Safety may, on a
60 case-by-case basis, within funds available, recommend that
61 corrective salary adjustments be made to the compensation of
62 employees of the Department of Public Safety where an inequity was
63 created between employees of equivalent capacity by previous
64 application of the agency appropriation acts. Any such corrective
65 salary adjustment plan must have prior approval by the State
66 Personnel Board. Such adjustments will not be retroactive.

67 Any funds in the Salary, Wages and Fringe Benefits major
68 object of expenditure may be used to purchase accumulated
69 compensatory time within funds available.

70 **SECTION 5.** It is the intention of the Legislature, that the
71 Department of Public Safety shall receive Five Million Dollars
72 (\$5,000,000.00) from the Mississippi Department of Transportation,
73 for the operations of the Office of Commercial Transportation
74 Enforcement Division that is authorized in Section 77-7-330,
75 Mississippi Code of 1972.

76 **SECTION 6.** It is the intent of the Legislature that the
77 local governments pay for part of the computer cost of the
78 Mississippi Justice Information Center by maintaining their
79 contribution to the Department of Public Safety.

80 **SECTION 7.** It is the intention of the Legislature that the
81 Department of Public Safety designate certain employees to aid the
82 Office of Forensics Laboratories in the billing and collecting of
83 all fees charged for services rendered by the Office of Forensics
84 Laboratories.

85 **SECTION 8.** No part of the funds appropriated herein shall be
86 transferred to, expended by, or used, directly or indirectly, for
87 the benefit of any public relations, publicity or publication
88 activities of any other state agency, department or officer, nor
89 shall any personnel paid with funds appropriated herein be
90 transferred or assigned to any other state agency, department or
91 officer for public relations, publicity, or publication activities
92 of such office.

93 **SECTION 9.** It is the intention of the Legislature that the
94 Department of Public Safety shall not issue citations for
95 violations of speed limits on a quota basis. No funds expended

96 under this act shall be used for such quota-based citations for
97 violations of speed limits.

98 **SECTION 10.** 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>
107 Enforcement	
108 Percent Increase in Enforcement Citations	7.00
109 Percent Decrease in Fatalities	4.00
110 Percent Increase in DUI Arrests	
111 (Includes Felony DUI)	5.00
112 Number of Criminal Investigations	72,100
113 Number of Highway Fatalities per 100	
114 Million Vehicle Miles of Travel	0.90
115 Number of Alcohol Impaired Driving	
116 Fatalities per 100,000 Population	1.80
117 Number of Driving Under the Influence	
118 (DUI) Arrests per 100,000 Population	235
119 Percent Increase in Seatbelt/Child	
120 Restraint Citations	5.00
121 Driver Services	

122	Number of Driver's License/ID Cards Issued	635,250
123	Cost per License Document Produced	24.00
124	Number of Driver's Suspended	24,300
125	Number of Accident Reports Processed	1,650
126	Average Wait Time (Minutes)	20
127	Number of Documented Complaints	24
128	Percent Change in Wait Time	-5.00
129	Percent Change in Complaints	1.10
130	Percent Increase in Regular and	
131	Commercial Driver Licenses Issued	10.00
132	Support Services	
133	Number of Financial Transactions Processed	40,200
134	Number of Employees Supported	1,800
135	Forensic Analysis	
136	Number of Reports Issued (Cases)	20,000
137	Number of Court Testimonies (Cases)	250
138	Cost per Case Analyzed	518.00
139	Cost per Testimony	550.00
140	Percent of Days for Reports Issued	40.00
141	Dna Analysis	
142	Number of Known Felony Offender Samples	
143	in Database	137,429
144	Number of Proficiency Samples	550
145	Number of Casework Samples Examined	12,500
146	Cost per Sample	650.00
147	Maintain the Integrity of the CODIS Database	99.00

148	Forensic Pathology	
149	Number of Deaths Investigated	24,500
150	Number of Autopsies Performed SME Office	1,375
151	Cost per Autopsy Performed	2,000.00
152	Percent Change in the Number of Deaths	
153	Investigated	2.50
154	Percent of Coroners Educated by ME's Office	30.00
155	Percent Change in the Number of	
156	Autopsies Performed at SME Office	2.00
157	Training Academy	
158	Number of Basic Students to Graduate	240
159	Number of Basic Refresher Students to	
160	Graduate	70
161	Number of In-Service and Advanced	
162	Students to Graduate	2,600
163	Percent of Law Enforcement Officers Trained	100.00
164	Drug Enforcement	
165	Number of Drug Suspects Arrested	1,300
166	Number of Drug Cases Prosecuted	600
167	Number of Drug Organization Disrupted	
168	and/or Dismantled	4
169	Percent Change in Number of Drug	
170	Suspects Arrested	1.00
171	Percent Change in Number of Drug Cases	
172	Prosecuted	1.00
173	Percent Change in Number of Drug	

174	Organization Disrupted and/or Dismantled	1.00
175	Jail Officer Training	
176	Number of Jail and Youth Detention	
177	Officers Certified	300
178	Number of Certification Transactions	3,300
179	Number of Administrative Review Actions	15
180	Percent of Appointed Jail and Youth	
181	Detention Officers Obtaining	
182	Certification	60.00
183	Percent of Administrative Review Actions	
184	Taken Within One Year	1.00
185	Law Enforcement Training	
186	Number of Basic Law Enforcement Officers	
187	Certified	500
188	Number of Certification Transactions	2,500
189	Number of Training Quality Monitoring	
190	Actions	1,000
191	Percent of Appointed Law Enforcement	
192	Officers Obtaining Certification	75.00
193	Percent of Appointed Part-Time, Reserve,	
194	and Auxiliary Officers Obtaining	
195	Certification	85.00
196	Percent of Administrative Disciplinary	
197	Actions Taken Within One Year	3.50
198	Highway Safety	
199	Number of Federal Applications Funded	

200	and Statewide Pgms Supported	10
201	Percent Decrease in the Number of	
202	Unrestrained Passenger Vehicle Occupant	
203	Fatalities by 5%	2.00
204	Percent Decrease in the Number of	
205	Fatalities in Crashes Involving a Driver	
206	or Motorcycle Operator with a BAC of	
207	.08 and Above	1.00
208	Justice	
209	Number of Juvenile Jail/Detention	
210	Alternatives	5
211	Number of Hot Spots Policing Programs Funded	0
212	Emerg Telecommunications Tng	
213	Number of Emergency Telecommunicators	
214	Certified	400
215	Number of Certification Transactions	1,600
216	Percent of Appointed Emergency	
217	Telecommunicators Obtaining	
218	Certification	75.00
219	Percent of Appointed Emergency	
220	Telecommunicators Obtaining	
221	Recertification	75.00
222	Percent of Administrative Review Actions	
223	Taken Within One Year	1.00
224	Council On Aging	
225	Number of Triad Programs Established	2

226	Number of Training Programs Conducted	0
227	Provide On-Site-Training	0
228	Percent Change in the Number of	
229	Operational Triad Programs	3.00
230	Percent Increase in Funding to Counties	
231	to Educate Senior Citizens	0.00
232	Juvenile Facility Monitoring Unit	
233	Number of Facilities Inspected	125
234	Number of Strategic Plans Implemented	20
235	Percentage of Admin Review Actions Taken	
236	Within One Year	80.00
237	Homeland Security	
238	Number of OHS Grants for Jurisdictions	150
239	Number of First Responder Classes	150
240	Percent Increase in Emergency Task Force	
241	Responder Training and Exercises	2.00
242	Percent Increase in Citizen and	
243	Community Preparedness Training and	
244	Exercises	11.50
245	Percent Increase in Requests for Information	2.00
246	Percent Increase in National Incident	
247	Mgmt Training and Exercises	2.00
248	Investigations	
249	Number of Human Trafficking Cases Initiated	300
250	Number of Human Trafficking Arrests	55
251	Number of Human Trafficking Child Recoveries	25

252	Capitol Police	
253	Number of Patrols	65
254	Number of Emergencies (Medical, Weather,	
255	Active Shooter, etc.)	200
256	Average Time to Respond to an Emergency	
257	(Minutes)	1.10
258	Motor Carrier	
259	Number of Compliance Reviews	50,000
260	Number of On-site Examinations at Scales	32,000
261	Number of Trucks Weighed	5,800,000

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

266 **SECTION 11.** It is the intention of the Legislature that all
267 divisions within the Mississippi Department of Public Safety shall
268 maintain complete accounting and personnel records related to the
269 expenditure of all funds appropriated under this act and that such
270 records shall be in the same format and level of detail as
271 maintained for Fiscal Year 2023. It is further the intention of
272 the Legislature that the agency's budget request for Fiscal Year
273 2025 shall be submitted to the Joint Legislative Budget Committee
274 in a format and level of detail comparable to the format and level
275 of detail provided during the Fiscal Year 2024 budget request
276 process.

277 **SECTION 12.** Of the funds appropriated under the provisions
278 of Section 2 of this act, funds may be expended to defray the
279 costs of clothing for sworn nonuniform law enforcement officers in
280 an amount not to exceed One Thousand Dollars (\$1,000.00) annually
281 per officer.

282 **SECTION 13.** It is the intention of the Legislature that
283 whenever two (2) or more bids are received by this agency for the
284 purchase of commodities or equipment, and whenever all things
285 stated in such received bids are equal with respect to price,
286 quality and service, the Mississippi Industries for the Blind
287 shall be given preference. A similar preference shall be given to
288 the Mississippi Industries for the Blind whenever purchases are
289 made without competitive bids.

290 **SECTION 14.** The department is authorized to expend available
291 funds on technology or equipment upgrades or replacements when it
292 will generate savings through efficiency or when the savings
293 generated from such upgrades or replacements exceed expenditures
294 thereof.

295 **SECTION 15.** Of the funds provided herein, and in addition to
296 the One Hundred Dollars (\$100.00) authorized in Section 45-3-7,
297 Mississippi Code of 1972, Department of Public Safety Officers who
298 are licensed commercial pilots shall receive an additional Nine
299 Hundred Dollars (\$900.00), for a total of One Thousand Dollars
300 (\$1,000.00), additional compensation for such service.

301 **SECTION 16.** It is the direction of the Legislature that all
302 Fair Labor Standards Act (FLSA) nonexempt sworn officers of the

303 Mississippi Highway Safety Patrol who are working one hundred
304 seventy-one (171) hours in a twenty-eight-day work cycle be
305 compensated based on the annual salary established by the State
306 Personnel Board for a one-hundred-sixty-hour per month schedule
307 divided by two thousand eighty-seven and one hundred forty-three
308 one thousandths (2,087.143), for an hourly rate, to be multiplied
309 by two thousand two hundred twenty-three (2,223) or one hundred
310 seventy-one (171) hours in a twenty-eight-day work cycle for a new
311 annual salary. All hours worked over one hundred seventy-one
312 (171) hours in a twenty-eight-day schedule shall be governed by
313 the FLSA or other special compensation plan. All realignments
314 after July 1, 2010, shall be calculated using this formula. This
315 section shall be known as the "David R. Huggins Act."

316 **SECTION 17.** Of the funds appropriated in Sections 1 and 2 of
317 this act, Four Hundred Ninety-five Thousand One Hundred Ninety
318 Dollars (\$495,190.00) is appropriated out of any funds in the
319 State Treasury to the credit of the Department of Public Safety
320 for the purposes of paying for eleven (11) hours of compensatory
321 time at an hourly rate based on two thousand eighty-seven and one
322 hundred forty-three one thousandths (2,087.143) hours per year for
323 sworn officers who hold the rank of Lieutenant and above. The
324 funds provided in this section to pay for the eleven (11) hours
325 authorized in this section shall be expended only for this
326 purpose.

327 **SECTION 18.** It is the intention of the Legislature that the
328 Department of Public Safety shall provide an annual report to the

329 Mississippi Legislature detailing any elected official or any
330 other person who is not an employee of the Department of Public
331 Safety who was transported in Highway Patrol aircraft during the
332 fiscal year. The report shall be provided to each member of the
333 Mississippi Legislature on or before January 15, 2024.

334 **SECTION 19.** The Commissioner of Public Safety shall have the
335 authority to transfer any funds from any division within the
336 Department of Public Safety to any other division of the
337 Department of Public Safety Special Funds, including, but not
338 limited to, Funds 3711, 371C, 371E, 3713, 3714, 3715, 3740, 3741,
339 3742, 3744, 3747 and 3718, not to exceed Twenty Million Dollars
340 (\$20,000,000.00) collectively during Fiscal Year 2024. However,
341 none of the funds appropriated by this act shall be expended
342 unless the Department of Public Safety provides prior written
343 notification of any transfer of funds provided in this section.

344 **SECTION 20.** The Bureau of Narcotics is authorized to expend
345 a sum, not to exceed Five Hundred Thousand Dollars (\$500,000.00)
346 from account No. 3371800000, for purposes of effectuating the
347 provisions of Section 41-29-179, Mississippi Code of 1972, Section
348 1 of this act. Expenditures authorized by this section may
349 include, but not be limited to, costs associated with contracting
350 with one or more vendors, contractors or other persons or entities
351 to create, operate and maintain the forfeiture website and to
352 provide continuing support in relation thereto. In the event an
353 amount less than Five Hundred Thousand (\$500,000.00) is required
354 to effectuate the purposes of this section, the Bureau is

355 authorized to expend the remainder of such authorized funds for
356 the purchase of commodities, vehicles and/or other equipment
357 necessary in the furtherance of the needs of the Bureau.

358 **SECTION 21.** Of the funds appropriated in Section 1 of this
359 act, it is the intention of the Legislature that Four Million
360 Three Hundred Twelve Thousand Six Hundred Two Dollars
361 (\$4,312,602.00) may be allocated for the programs supported from
362 General Fund court assessments as follows:

363	State Crime Stoppers Fund.....	\$	99,003.00.
364	Adult Driver Training.....	\$	75,794.00.
365	Information Exchange Network Fund.....	\$	264,007.00.
366	Forensics Laboratory of MS - Implied Consent Law Fund.....	\$	404,795.00.
367	Forensics Laboratory of MS - DNA Identification Fund.....	\$	629,543.00.
368	Law Enforcement and Firefighters Death Benefits Trust Fund.....	\$	191,361.00.
369	Law Enforcement Standards Training - Law Enforcement Officers Training Fund.....	\$	2,276,404.00.
370	Drug Abuse/Driver's License Reinstatement...	\$	13,573.00.
371	Federal - State Alcohol Program Fund.....	\$	160,431.00.
372	MS Leadership Council on Aging Fund.....	\$	197,691.00.

377 **SECTION 22.** It is the intention of the Legislature that the
378 Mississippi Bureau of Narcotics, Mississippi Department of Public
379 Safety, shall have the authority to receive, budget and expend
380 special funds from the Drug Evidence Disposition Funds

381 (3372000000), not to exceed Five Hundred Thousand Dollars
382 (\$500,000.00).

383 **SECTION 23.** Of the funds appropriated by this act, pursuant
384 to Section 97-3-54.9, Mississippi Code of 1972, Two Hundred Fifty
385 Thousand Dollars (\$250,000.00) is provided for the duties and
386 operations of a Statewide Human Trafficking Coordinator and a data
387 analyst within the Bureau of Investigation in the Department of
388 Public Safety, who shall coordinate all statewide activities and
389 work with the Department of Child Protection Services for all
390 victims recovered.

391 **SECTION 24.** Of the funds appropriated by this act, pursuant
392 to Section 45-1-2(7), Mississippi Code of 1972, Two Hundred
393 Forty-two Thousand Six Hundred Three dollars (\$242,603.00) is
394 provided for the duties and operations associated with the
395 Mississippi School Safety Act of 2019.

396 **SECTION 25.** The following sum, or so much thereof as may be
397 necessary, is reappropriated out of any money in the Capital
398 Expense Fund not otherwise appropriated to the Department of
399 Public Safety for the purpose of reauthorizing the expenditure of
400 Capital Expense Funds, as authorized in SB 3014, 2022 Regular
401 Session to at the Department of Public Safety for the fiscal year
402 beginning July 1, 2023, and ending
403 June 30, 2024.....\$ 8,026,097.00.

404 This reappropriation is for the following purposes:

- 405 (a) Bullet Proof Vests Program.....\$ 85,362.00.
406 (b) Driver Services IDEMIA System.....\$ 6,700,000.00.

407 (c) Capital facilities, equipment, and other operational
408 needs.....\$ 1,099,425.00.
409 (d) Repairs and renovations at MELOTA.....\$ 141,310.00.

410 Notwithstanding the amount reappropriated under this section,
411 the amount that may be expended under the authority of this
412 section shall not exceed the unexpended balance of the funds
413 remaining as of June 30, 2023, from the amount authorized for the
414 previous fiscal year. In addition, this reappropriation shall not
415 change the purpose for which the funds were originally authorized.

416 **SECTION 26.** The department may subgrant a portion of the
417 funds appropriated herein to the Jackson Police Department for
418 eligible activities contingent upon the execution of an
419 operational agreement between the Capitol Police and Jackson
420 Police Department on roles and responsibilities within the Capitol
421 Complex Improvement District.

422 **SECTION 27.** The money herein appropriated shall be paid by
423 the State Treasurer out of any money in the State Treasury to the
424 credit of the proper fund or funds as set forth in this act, upon
425 warrants issued by the State Fiscal Officer; and the State Fiscal
426 Officer shall issue his warrants upon requisitions signed by the
427 proper person, officer or officers, in the manner provided by law.

428 **SECTION 28.** This act shall take effect and be in force from
429 and after July 1, 2023, and shall stand repealed from and after
430 June 29, 2023.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2024.

HR13\SB3012A.J

Andrew Ketchings
Clerk of the House of Representatives