

**House Amendments to Senate Bill No. 3043**

**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, 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 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 FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2024.

HR13\SB3043A.J

Andrew Ketchings  
Clerk of the House of Representatives