

House Amendments to Senate Bill No. 3049

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, 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\$ 12,062,675.00.

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: 88
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 shall be published by the
28 State Personnel Board. Additionally, the State Personnel Board
29 shall determine and publish the projected annualized payroll costs
30 based on current employees. It shall be the responsibility of the
31 agency head to ensure that actual personnel expenditures for
32 Fiscal Year 2024 do not exceed the data provided by the
33 Legislative Budget Office. If the agency's Fiscal Year 2024
34 projected cost exceeds the annualized costs, no salary actions
35 shall be processed by the State Personnel Board with the exception
36 of new hires that are determined to be essential for the agency.

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

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49 act and which are withdrawn and no longer available.

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

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

60 **SECTION 4.** None of the funds appropriated by this act shall
61 be expended for any purpose that is not actually required or
62 necessary for performing any of the powers or duties of the Office
63 of the Secretary of State that are authorized by the Mississippi
64 Constitution of 1890, state or federal law, or rules or
65 regulations that implement state or federal law.

66 **SECTION 5.** No part of the funds appropriated herein shall be
67 used, either directly or indirectly, for the purpose of paying any
68 clerk, stenographer, assistant, deputy, or other person who may be
69 related by blood or marriage within the third degree, computed by
70 the rules of the civil law, to the official employing or having
71 the right of employment or selection thereof; and in the event of

72 any such payment, then the official or person approving and making
73 or receiving such payment shall be jointly and severally liable to
74 return to the State of Mississippi and to pay into the State
75 Treasury three (3) times any such amount so paid or received, to
76 be recovered at suit of the Attorney General; provided that when
77 the relationship is by affinity and the person through whom the
78 relationship was established is dead, this provision shall not
79 apply.

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

86 **SECTION 7.** In compliance with the "Mississippi Performance
87 Budget and Strategic Planning Act of 1994," it is the intent of
88 the Legislature that the funds provided herein shall be utilized
89 in the most efficient and effective manner possible to achieve the
90 intended mission of this agency. Based on the funding authorized,
91 this agency shall make every effort to attain the targeted
92 performance measures provided below:

	FY2024
<u>Performance Measures</u>	<u>Target</u>
Business Services	
Percent of Business Services Customer	
Phone Calls Answered	95.00

98	Elections	
99	Number of Poll Workers to Successfully	
100	Complete the Online Training Program	82
101	Number of Voter Registrations Updated on	
102	Secure Online Website	6,400
103	Percent of Poll Workers who Successfully	
104	Complete the Online Poll Manager	
105	Training on Their First Attempt	60.00
106	Publications	
107	Number of Visits to the Secretary of	
108	State's Website	9,000,000
109	Public Lands	
110	Number of Tax-Forfeited Properties Sold	2,000
111	Support Services	
112	Support Services as a Percent of Total	
113	Agency Expenditures	27.00

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

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

122 **SECTION 9.** Of the funds appropriated in Section 2 of this
123 act, One Million Seven Hundred Fifty Thousand Dollars

124 (\$1,750,000.00), or so much thereof as may be necessary, is
125 appropriated out of any money in the State Treasury to the credit
126 of the Land Records Maintenance Fund, for the purpose of making
127 distributions to local governments for taxes owed during the
128 fiscal year.

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

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

145 **SECTION 12.** It is the intention of the Legislature that
146 whenever two (2) or more bids are received by this agency for the
147 purchase of commodities or equipment, and whenever all things
148 stated in such received bids are equal with respect to price,
149 quality and service, the Mississippi Industries for the Blind

150 shall be given preference. A similar preference shall be given to
151 the Mississippi Industries for the Blind whenever purchases are
152 made without competitive bids.

153 **SECTION 13.** The money herein appropriated shall be paid by
154 the State Treasurer out of any money in the State Treasury to the
155 credit of the proper fund or funds as set forth in this act, upon
156 warrants issued by the State Fiscal Officer; and the State Fiscal
157 Officer shall issue his warrants upon requisitions signed by the
158 proper person, officer or officers in the manner provided by law.

159 **SECTION 14.** This act shall take effect and be in force from
160 and after July 1, 2023, and shall stand repealed from and after
161 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 OFFICE OF THE SECRETARY OF STATE FOR FISCAL YEAR 2024.

HR13\SB3049A.J

Andrew Ketchings
Clerk of the House of Representatives