

By: Representatives Deweese, Read, Bennett,
Creekmore IV, Currie, McGee, Scott, Turner,
Young

To: Appropriations C;
Appropriations A

HOUSE BILL NO. 1794

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 DEPARTMENT OF CHILD PROTECTION SERVICES FOR THE FISCAL YEAR 2025.

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 appropriated out of any money in the State General
6 Fund not otherwise appropriated, to the Department of Child
7 Protection Services for the fiscal year beginning July 1, 2024,
8 and ending June 30, 2025.....\$ 131,484,228.00.

9 **SECTION 2.** The following sum, or so much thereof as may be
10 necessary, is appropriated out of any money in any special fund in
11 the State Treasury to the credit of the Department of Child
12 Protection Services which is comprised of special source funds
13 collected by or otherwise available to the department for the
14 support of the various divisions of the department, for the
15 purpose of defraying the expenses of the department for the fiscal
16 year beginning July 1, 2024, and ending June 30, 2025.....
17\$ 166,522,374.00.



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

20 AUTHORIZED HEADCOUNT:

21 Permanent: 1,517

22 Time-Limited: 417

23 With the funds herein appropriated, it shall be the agency's
24 responsibility to make certain that funds required for Personal
25 Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds
26 appropriated for that purpose unless programs or positions are
27 added to the agency's Fiscal Year 2025 budget by the Mississippi
28 Legislature. The Legislature shall determine the agency's personal
29 services appropriation, which the State Personnel Board shall
30 publish. In accordance with applicable laws, if an agency
31 determines that its personal services amount is insufficient, the
32 agency must contact the State Personnel Board. Any adjustment to
33 the personal services amount must be approved by the State
34 Personnel Director and the State Fiscal Officer after consultation
35 with the Legislative Budget Office. Any adjustment shall be
36 reported to the Legislative Budget Office and the House and Senate
37 Appropriations Chairmen. The agency's personal services
38 appropriation may consist of restricted funds for approved
39 vacancies for Fiscal Year 2025 that may not be utilized for active
40 Fiscal Year 2024 headcount. It shall be the agency's
41 responsibility to ensure that the funds provided for vacancies are
42 used to increase headcount and not for promotions, title changes,



43 in-range salary adjustments, or any other mechanism for increasing
44 salaries for current employees. If the State Personnel Board
45 determines that an agency has used provided vacancy funds for any
46 of the mechanisms previously listed, the State Personnel Board
47 shall not process any additional salary actions for the agency in
48 the current fiscal year, except for new hires determined by the
49 State Personnel Board to be essential for the agency. It is the
50 Legislature's intention that no employee salary falls below the
51 minimum salary established by the Mississippi State Personnel
52 Board.

53 Additionally, the State Personnel Board shall determine and
54 publish the projected annualized payroll costs based on current
55 employees. It shall be the responsibility of the agency head to
56 ensure that actual personnel expenditures for Fiscal Year 2025 do
57 not exceed the data provided by the Legislative Budget Office. If
58 the agency's projected cost for Fiscal Year 2025 exceeds the
59 annualized costs, no salary actions shall be processed by the
60 State Personnel Board except for new hires determined to be
61 essential for the agency.

62 Any transfers or escalations shall be made in accordance with
63 the terms, conditions, and procedures established by law or
64 allowable under the terms set forth within this act. The State
65 Personnel Board shall not escalate positions without written
66 approval from the Department of Finance and Administration. The
67 Department of Finance and Administration shall not provide written



68 approval to escalate any funds for salaries and/or positions
69 without proof of availability of new or additional funds above the
70 appropriated level.

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

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

79 **SECTION 4.** It is the intention of the Legislature that the
80 Department of Child Protection Services shall maintain complete
81 accounting and personnel records related to the expenditure of all
82 funds appropriated under this act and that such records shall be
83 in the same format and level of detail as maintained for Fiscal
84 Year 2024. It is further the intention of the Legislature that
85 the agency's budget request for Fiscal Year 2026 shall be
86 submitted to the Joint Legislative Budget Committee in a format
87 and level of detail comparable to the format and level of detail
88 provided during the Fiscal Year 2025 budget request process.

89 **SECTION 5.** It is the intention of the Legislature that
90 whenever two (2) or more bids are received by this agency for the
91 purchase of commodities or equipment, and whenever all things
92 stated in such received bids are equal with respect to price,



93 quality and service, the Mississippi Industries for the Blind
94 shall be given preference. A similar preference shall be given to
95 the Mississippi Industries for the Blind whenever purchases are
96 made without competitive bids.

97 **SECTION 6.** The Department of Child Protection Services is
98 authorized to expend available funds on technology or equipment
99 upgrades or replacements when it will generate savings through
100 efficiency or when the savings generated from such upgrades or
101 replacements exceed expenditures thereof.

102 **SECTION 7.** Of the funds appropriated in Section 1, herein to
103 the Department of Child Protection Services, it is the intention
104 of the Legislature that Ninety-three Thousand Six Hundred One
105 Dollars (\$93,601.00) shall be allocated to the Mississippi
106 Children's Trust Fund supported from General Fund court
107 assessments.

108 **SECTION 8.** Of the funds appropriated by this act, pursuant
109 to Section 97-3-54.9, Mississippi Code of 1972, Two Hundred Fifty
110 Thousand Dollars (\$250,000.00) is provided for maintaining a
111 24-hour hotline that is to be manned at all times, and for a
112 coordinator to work with the Department of Public Safety, and to
113 contract with outside agencies or service providers to organize
114 for the provision of specialized services, including counseling
115 services and other appropriate care to children who have been
116 victims of commercial and sexual exploitation or human
117 trafficking.



SECTION 9. Of the funds appropriated in Section 1 and Section 2, an amount not to exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00) may be expended for the Department of Child Protection Services for Kinship Care Payments as authorized by Section 43-15-17, Mississippi Code of 1972.

SECTION 10. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Child Protection Services for the purpose of reauthorizing the expenditure of Capital Expense Fund, as reappropriated in HB 1625, 2023 Regular Session, for information technology system developments for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....\$ 5,157,695.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 11. Of the funds appropriated in Section 1, Eleven Million Eighty-six Thousand Two Hundred Thirty-nine Dollars (\$11,086,239.00) is appropriated to maintain the Adoption Assistance and Congregate Care Homes Maintenance Payments and One Million Two Hundred Fifty-Four Thousand Nine Hundred Ninety-nine Dollars (\$1,254,999.00) is provided to maintain the Foster Home



Maintenance Payments. It is the intent of the Legislature that these funds be expended for said purpose.

SECTION 12. Notwithstanding any other provision, the Department of Child Protection Services shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds, upon approval of the Department of Finance and Administration and the State Personnel Board.

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

SECTION 14. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 30, 2024.

