

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

To: Appropriations C;
Appropriations A

HOUSE BILL NO. 1794
(As Sent to Governor)

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.....\$ 136,336,290.00.

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\$ 184,408,641.00.



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
29 personal services appropriation, which the State Personnel Board
30 shall publish. The agency's personal services appropriation may
31 consist of restricted funds for approved vacancies for Fiscal Year
32 2025 that may be utilized to fill vacant Fiscal Year 2024
33 headcount. It shall be the agency's responsibility to ensure that
34 the funds provided for vacancies are used to increase headcount
35 and not for promotions, title changes, in-range salary adjustments
36 or any other mechanism for increasing salaries for current
37 employees. It is the Legislature's intention that no employee
38 salary falls below the minimum salary established by the
39 Mississippi State Personnel Board.

40 Additionally, the State Personnel Board shall determine and
41 publish the projected annualized payroll costs based on current
42 employees. It shall be the responsibility of the agency head to



43 ensure that actual personnel expenditures for Fiscal Year 2025 do
44 not exceed the data provided by the Legislative Budget Office. If
45 the agency's Fiscal Year 2025 projected cost exceeds the
46 annualized costs, no salary actions shall be processed by the
47 State Personnel Board except for new hires determined to be
48 essential for the agency.

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

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61 withdrawn and no longer available.

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

66 **SECTION 4.** It is the intention of the Legislature that the
67 Department of Child Protection Services shall maintain complete



68 accounting and personnel records related to the expenditure of all
69 funds appropriated under this act and that such records shall be
70 in the same format and level of detail as maintained for Fiscal
71 Year 2024. It is further the intention of the Legislature that
72 the agency's budget request for Fiscal Year 2026 shall be
73 submitted to the Joint Legislative Budget Committee in a format
74 and level of detail comparable to the format and level of detail
75 provided during the Fiscal Year 2025 budget request process.

76 **SECTION 5.** It is the intention of the Legislature that
77 whenever two (2) or more bids are received by this agency for the
78 purchase of commodities or equipment, and whenever all things
79 stated in such received bids are equal with respect to price,
80 quality and service, the Mississippi Industries for the Blind
81 shall be given preference. A similar preference shall be given to
82 the Mississippi Industries for the Blind whenever purchases are
83 made without competitive bids.

84 **SECTION 6.** The Department of Child Protection Services is
85 authorized to expend available funds on technology or equipment
86 upgrades or replacements when it will generate savings through
87 efficiency or when the savings generated from such upgrades or
88 replacements exceed expenditures thereof.

89 **SECTION 7.** Of the funds appropriated in Section 1, herein to
90 the Department of Child Protection Services, it is the intention
91 of the Legislature that Ninety-three Thousand Six Hundred One
92 Dollars (\$93,601.00) shall be allocated to the Mississippi



93 Children's Trust Fund supported from General Fund court
94 assessments.

95 **SECTION 8.** Of the funds appropriated by this act, pursuant
96 to Section 97-3-54.9, Mississippi Code of 1972, Two Hundred Fifty
97 Thousand Dollars (\$250,000.00) is provided for maintaining a
98 24-hour hotline that is to be manned at all times, and for a
99 coordinator to work with the Department of Public Safety, and to
100 contract with outside agencies or service providers to organize
101 for the provision of specialized services, including counseling
102 services and other appropriate care to children who have been
103 victims of commercial and sexual exploitation or human
104 trafficking.

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

110 **SECTION 10.** The following sum, or so much thereof as may be
111 necessary, is reappropriated out of any money in the Capital
112 Expense Fund not otherwise appropriated for the Department of
113 Child Protection Services for the purpose of reauthorizing the
114 expenditure of Capital Expense Fund, as reappropriated in HB 1625,
115 2023 Regular Session, for information technology system
116 developments for the fiscal year beginning July 1, 2024, and
117 ending June 30, 2025.....\$ 6,789,259.00.



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

124 **SECTION 11.** Of the funds appropriated in Section 1, Eleven
125 Million Eighty-six Thousand Two Hundred Thirty-nine Dollars
126 (\$11,086,239.00) is appropriated to maintain the Adoption
127 Assistance and Congregate Care Homes Maintenance Payments and One
128 Million Seven Hundred Eleven Thousand Nine Hundred Fifty-nine
129 Dollars (\$1,711,959.00) is provided to maintain the Foster Home
130 Maintenance Payments. It is the intent of the Legislature that
131 these funds be expended for said purpose.

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

138 **SECTION 13.** The money herein appropriated shall be paid by
139 the State Treasurer out of any money in the State Treasury to the
140 credit of the proper fund or funds as set forth in this act, upon
141 warrants issued by the State Fiscal Officer; and the State Fiscal



142 Officer shall issue his warrants upon requisitions signed by the
143 proper person, officer or officers, in the manner provided by law.

144 **SECTION 14.** This act shall take effect and be in force from
145 and after July 1, 2024.

