

By: Senator(s) Hopson

To: Appropriations

SENATE BILL NO. 2825

1 AN ACT TO MAKE CERTAIN TECHNICAL REVISIONS TO FISCAL YEAR
2 2024 APPROPRIATIONS; TO AMEND SECTION 7, CHAPTER 15, LAWS OF 2023,
3 TO REVISE THE AMOUNT OF FUNDS PROVIDED FOR THE ADMINISTRATIVE
4 SUPPORT OF THE MISSISSIPPI AUTISM BOARD FROM THE APPROPRIATION TO
5 THE BOARD OF PSYCHOLOGY; TO AMEND SECTION 1, CHAPTER 53, LAWS OF
6 2023, TO REVISE THE AMOUNT OF GENERAL FUNDS APPROPRIATED TO THE
7 MISSISSIPPI INSURANCE DEPARTMENT; TO AMEND SECTION 2, CHAPTER 53,
8 LAWS OF 2023, TO AMEND THE AMOUNT OF SPECIAL FUNDS APPROPRIATED TO
9 THE MISSISSIPPI INSURANCE DEPARTMENT; TO AMEND SECTION 18, CHAPTER
10 53, LAWS OF 2023, TO CLARIFY THAT CERTAIN FUNDING FOR THE
11 MISSISSIPPI VOLUNTEER FIREFIGHTER LENGTH-OF-SERVICE AWARD PROGRAM
12 IS PROVIDED FROM SPECIAL FUNDS; TO DIRECT THE STATE TREASURER, IN
13 CONJUNCTION WITH THE STATE FISCAL OFFICER, TO TRANSFER A CERTAIN
14 SUM FROM THE GENERAL FUND TO THE MISSISSIPPI VOLUNTEER FIREFIGHTER
15 LENGTH-OF-SERVICE AWARD PROGRAM FUND; TO AMEND SECTION 40, CHAPTER
16 91, LAWS OF 2023, TO CLARIFY THAT CERTAIN CAPITAL EXPENSE FUNDS
17 APPROPRIATED TO THE MISSISSIPPI DEPARTMENT OF HEALTH ARE FOR
18 EXPENSES INCURRED FROM A CERTAIN PERIOD; TO AMEND SECTION 1,
19 CHAPTER 108, LAWS OF 2023, TO REVISE THE AMOUNT OF GENERAL FUNDS
20 APPROPRIATED TO THE STATE BOARD OF EDUCATION; TO AMEND SECTION 2,
21 CHAPTER 108, LAWS OF 2023, TO REVISE THE AMOUNT OF SPECIAL FUNDS
22 APPROPRIATED TO THE STATE BOARD OF EDUCATION; TO AMEND SECTION 45,
23 CHAPTER 108, LAWS OF 2023, TO CLARIFY THAT CERTAIN FUNDS PROVIDED
24 TO THE CHARTER SCHOOL AUTHORIZER BOARD SHALL BE PROVIDED FROM THE
25 STATE GENERAL FUND; TO AMEND SECTION 4, CHAPTER 34, LAWS OF 2023,
26 TO REVISE THE AMOUNT OF FOUNDS INTENDED TO BE EXPENDED FOR THE
27 PURPOSE OF REPLACEMENT OF STRUCTURALLY DEFICIENT BRIDGES ON THE
28 LOCAL SYSTEM BRIDGE PROGRAM FROM THE APPROPRIATION TO THE
29 DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 37-61-33,
30 MISSISSIPPI CODE OF 1972, TO DELETE CERTAIN CONDITIONS ON
31 UNEXPENDED MONIES IN THE EDUCATION ENHANCEMENT FUND; TO AMEND
32 SECTION 37-21-51, MISSISSIPPI CODE OF 1972, TO DELETE THE
33 AUTHORIZATION TO CARRY OVER CERTAIN FUNDS RELATED TO EARLY
34 LEARNING COLLABORATIVES IF FUNDS REMAIN AFTER AWARDS UNDER THIS



35 SECTION; TO AMEND SECTION 49-39-7, MISSISSIPPI CODE OF 1972, TO
36 AUTHORIZE ANY STATE AGENCY THAT RECEIVES FUNDS AWARDED BY THE
37 BOARD FROM THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND TO
38 ESCALATE THE FUNDS; TO AMEND SECTION 27-103-204.1, MISSISSIPPI
39 CODE OF 1972, TO AUTHORIZE THE STATE TREASURER TO ESCALATE CERTAIN
40 BORROWED FUNDS; TO DIRECT THE STATE TREASURER, IN CONJUNCTION WITH
41 THE STATE FISCAL OFFICER, TO TRANSFER A CERTAIN SUM FROM THE
42 CAPITAL EXPENSE FUND TO THE FORESTRY FACILITY GRANT PROGRAM FUND;
43 AND FOR RELATED PURPOSES.

44 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

45 **SECTION 1.** Section 7, Chapter 15, Laws of 2023, is amended
46 as follows:

47 Section 7. Of the funds appropriated in Section 1, * * *
48 Twenty-six Thousand Dollars (\$26,000.00) is provided for the
49 administrative support of the Mississippi Autism Board as
50 prescribed by Section 73-75-11, Mississippi Code of 1972.

51 **SECTION 2.** Section 1, Chapter 53, Laws of 2023, is amended
52 as follows:

53 Section 1. The following sum, or so much thereof as may be
54 necessary, is appropriated out of any money in the State General
55 Fund not otherwise appropriated, for the purpose of defraying the
56 expenses of the Mississippi Department of Insurance for the fiscal
57 year beginning July 1, 2023, and ending
58 June 30, 2024.....\$ * * * 13,169,614.00.

59 **SECTION 3.** Section 2, Chapter 53, Laws of 2023, is amended
60 as follows:

61 Section 2. The following sum, or so much thereof as may be
62 necessary, is appropriated out of any money in any special fund in
63 the State Treasury to the credit of the Mississippi Department of
64 Insurance which is comprised of special source funds collected by



65 or otherwise available to the department, for the support of the
66 various offices of the department for the fiscal year beginning
67 July 1, 2023, and ending
68 June 30, 2024.....\$ 3,335,000.00.

69 **SECTION 4.** Section 18, Chapter 53, Laws of 2023, is amended
70 as follows:

71 Section 18. Of the funds appropriated in Section * * * 2 of
72 this act, Three Million Dollars (\$3,000,000.00) is provided to the
73 department for the purpose of funding the Mississippi Length of
74 Service Award Program, which was created in House Bill 521, 2023
75 Regular Session.

76 **SECTION 5.** Upon the effective date of this act, the State
77 Treasurer, in conjunction with the State Fiscal Officer, shall
78 transfer the sum of Three Million Dollars (\$3,000,000.00) from the
79 General Fund (Fund No. 2999000000) to the Mississippi Volunteer
80 Firefighter Length-of-Service Awards Program Fund (Fund No.
81 3351600000).

82 **SECTION 6.** Section 40, Chapter 91, Laws of 2023, is amended
83 as follows:

84 Section 40. In addition to all other sums herein
85 appropriated, the following sum, or so much thereof as may be
86 necessary, is appropriated out of any money to the credit of the
87 Capital Expense Fund, and allocated in a manner as determined by
88 the Treasurer's Office, to defray the expenses of the Mississippi
89 Department of Health for the purpose of providing funds to the



90 Sharkey-Issaquena hospital and nursing home impacted by the severe
91 weather storm on March 24, 2023, and March 25, 2023, for the
92 payment of unreimbursed expenses incurred from March 24, 2023,
93 through June 30, 2024, due to the emergency work for the period
94 beginning upon the passage of this act and ending
95 June 30, 2024.....\$ 1,500,000.00.

96 **SECTION 7.** Section 1, Chapter 108, Laws of 2023, is amended
97 as follows:

98 Section 1. The following sums, or so much of those sums as
99 may be necessary, are appropriated out of any money in the State
100 General Fund not otherwise appropriated, for the purpose of
101 funding K-12 and other related educational activities, including
102 certain agencies and programs, in the State of Mississippi, for
103 the fiscal year beginning July 1, 2023, and ending June 30, 2024,
104 as follows:

105 (a) To the State Board of Education for the purpose of
106 defraying the expenses of the State Department of Education, and
107 excluding the expenses of the Vocational and Technical Education
108 Division.....\$ * * * 444,599,190.00.

109 (b) To the State Board of Education for the purpose of
110 defraying the expenses of the Vocational and Technical Education
111 Division of the State Department of
112 Education.....\$ 86,487,002.00.

113 (c) To the State Board of Education for the purpose of
114 paying annual compensation to the Chickasaw Cession counties for



115 sixteenth section lands which they lost through sale by the state,
116 as provided in Sections 29-3-137 through 29-3-141, Mississippi
117 Code of 1972.....\$ 16,945,631.00.

118 (d) To the State Board of Education for defraying the
119 expenses of the Mississippi Adequate Education
120 Program.....\$ 2,154,825,748.00.

121 TOTAL AMOUNT OF STATE GENERAL FUNDS APPROPRIATED
122 BY THIS SECTION BEING.....\$ * * * 2,702,857,571.00.

123 **SECTION 8.** Section 2, Chapter 108, Laws of 2023, is amended
124 as follows:

125 Section 2. The following sums, or so much of those sums as
126 may be necessary, are appropriated out of any money in any special
127 fund in the State Treasury to the credit of the proper fund or
128 funds of the agencies or programs specified in the following
129 paragraphs for the fiscal year beginning July 1, 2023, and ending
130 June 30, 2024, as follows:

131 (a) To the State Board of Education for the purpose of
132 defraying the expenses of the State Department of Education,
133 excluding the expenses of the Vocational and Technical Education
134 Division.....\$ * * * 2,012,230,643.00.

135 (b) To the State Board of Education for the purpose of
136 defraying the expenses of the Vocational and Technical Education
137 Division of the State Department of
138 Education.....\$ 22,706,135.00.



139 (c) To the State Board of Education for the purpose of
140 defraying the expenses of the Mississippi Adequate Education
141 Program.....\$ 245,112,197.00.

142 TOTAL AMOUNT OF SPECIAL FUNDS APPROPRIATED
143 BY THIS SECTION BEING.....\$ * * * 2,280,048,975.00.

144 **SECTION 9.** Section 45, Chapter 108, Laws of 2023, is amended
145 as follows:

146 Section 45. * * * In addition to all other funds herein
147 appropriated, One Million Four Hundred Thousand Dollars
148 (\$1,400,000.00) shall be provided to the Charter School Authorizer
149 Board. Of this amount, Nine Hundred Thousand Dollars
150 (\$900,000.00) shall be provided from * * * the State General Fund
151 and Five Hundred Thousand Dollars (\$500,000.00) shall be provided
152 from * * * the Charter School Authorizer Board Fund - Fund No.
153 3001700000 a special fund in the State Treasury.

154 **SECTION 10.** Section 4, Chapter 34, Laws of 2023, is amended
155 as follows:

156 Section 4. Of the funds appropriated in Section 1, it is the
157 intention of the Legislature that an amount not to exceed * * *
158 Thirty-four Million Dollars (\$34,000,000.00) is authorized to be
159 expended for the purpose of replacement of structurally deficient
160 bridges on the Local System Bridge Program (LSBP).

161 **SECTION 11.** Section 37-61-33, Mississippi Code of 1972, is
162 amended as follows:



163 37-61-33. (1) There is created within the State Treasury a
164 special fund to be designated the "Education Enhancement Fund"
165 into which shall be deposited all the revenues collected pursuant
166 to Sections 27-65-75(7) and (8) and 27-67-31(a) and (b).

167 (2) Of the amount deposited into the Education Enhancement
168 Fund, Sixteen Million Dollars (\$16,000,000.00) shall be
169 appropriated each fiscal year to the State Department of Education
170 to be distributed to all school districts. Such money shall be
171 distributed to all school districts in the proportion that the
172 average daily attendance of each school district bears to the
173 average daily attendance of all school districts within the state
174 for the following purposes:

175 (a) Purchasing, erecting, repairing, equipping,
176 remodeling and enlarging school buildings and related facilities,
177 including gymnasiums, auditoriums, lunchrooms, vocational training
178 buildings, libraries, teachers' homes, school barns,
179 transportation vehicles (which shall include new and used
180 transportation vehicles) and garages for transportation vehicles,
181 and purchasing land therefor;

182 (b) Establishing and equipping school athletic fields
183 and necessary facilities connected therewith, and purchasing land
184 therefor;

185 (c) Providing necessary water, light, heating,
186 air-conditioning and sewerage facilities for school buildings, and
187 purchasing land therefor;



188 (d) As a pledge to pay all or a portion of the debt
189 service on debt issued by the school district under Sections
190 37-59-1 through 37-59-45, 37-59-101 through 37-59-115, 37-7-351
191 through 37-7-359, 37-41-89 through 37-41-99, 37-7-301, 37-7-302
192 and 37-41-81, or debt issued by boards of supervisors for
193 agricultural high schools pursuant to Section 37-27-65, if such
194 pledge is accomplished pursuant to a written contract or
195 resolution approved and spread upon the minutes of an official
196 meeting of the district's school board or board of supervisors.
197 The annual grant to such district in any subsequent year during
198 the term of the resolution or contract shall not be reduced below
199 an amount equal to the district's grant amount for the year in
200 which the contract or resolution was adopted. The intent of this
201 provision is to allow school districts to irrevocably pledge a
202 certain, constant stream of revenue as security for long-term
203 obligations issued under the code sections enumerated in this
204 paragraph or as otherwise allowed by law. It is the intent of the
205 Legislature that the provisions of this paragraph shall be
206 cumulative and supplemental to any existing funding programs or
207 other authority conferred upon school districts or school boards.
208 Debt of a district secured by a pledge of sales tax revenue
209 pursuant to this paragraph shall not be subject to any debt
210 limitation contained in the foregoing enumerated code sections.

211 (3) The remainder of the money deposited into the Education
212 Enhancement Fund shall be appropriated as follows:



213 (a) To the State Department of Education as follows:
214 (i) Sixteen and sixty-one one-hundredths percent
215 (16.61%) to the cost of the adequate education program determined
216 under Section 37-151-7; of the funds generated by the percentage
217 set forth in this section for the support of the adequate
218 education program, one and one hundred seventy-eight
219 one-thousandths percent (1.178%) of the funds shall be
220 appropriated to be used by the State Department of Education for
221 the purchase of textbooks to be loaned under Sections 37-43-1
222 through 37-43-59 to approved nonpublic schools, as described in
223 Section 37-43-1. The funds to be distributed to each nonpublic
224 school shall be in the proportion that the average daily
225 attendance of each nonpublic school bears to the total average
226 daily attendance of all nonpublic schools;
227 (ii) Seven and ninety-seven one-hundredths percent
228 (7.97%) to assist the funding of transportation operations and
229 maintenance pursuant to Section 37-19-23; and
230 (iii) Nine and sixty-one one-hundredths percent
231 (9.61%) for classroom supplies, instructional materials and
232 equipment, including computers and computer software, to be
233 distributed to all eligible teachers within the state through the
234 use of procurement cards or a digital solution capable of
235 tracking, paying and reporting purchases. Classroom supply funds
236 shall not be expended for administrative purposes. On a date to
237 be determined by the State Department of Education, but not later



238 than July 1 of each year, local school districts shall determine
239 and submit to the State Department of Education the number of
240 teachers eligible to receive an allocation for the current year.
241 For purposes of this subparagraph, "teacher" means any employee of
242 the school board of a school district, or the Mississippi School
243 for the Arts, the Mississippi School for Math and Science, the
244 Mississippi School for the Blind, the Mississippi School for the
245 Deaf or public charter school, who is required by law to obtain a
246 teacher's license from the State Department of Education and who
247 is assigned to an instructional area of work as defined by the
248 department, and shall include any full- or part-time gifted or
249 special education teacher. It is the intent of the Legislature
250 that all classroom teachers shall utilize these funds in a manner
251 that addresses individual classroom needs and supports the overall
252 goals of the school regarding supplies, instructional materials,
253 equipment, computers or computer software under the provisions of
254 this subparagraph, including the type, quantity and quality of
255 such supplies, materials and equipment. Classroom supply funds
256 allocated under this subparagraph shall supplement, not replace,
257 other local and state funds available for the same purposes. The
258 State Board of Education shall develop and promulgate rules and
259 regulations for the administration of this subparagraph consistent
260 with the above criteria, with particular emphasis on allowing the
261 individual teachers to expend funds as they deem appropriate. The
262 local school board shall require each school to issue credentials



263 for a digital solution selected by or procurement cards provided
264 by the Department of Finance and Administration under the
265 provisions of Section 31-7-9(1)(c) for the use of teachers and
266 necessary support personnel in making instructional supply fund
267 expenditures under this section, consistent with the regulations
268 of the Mississippi Department of Finance and Administration
269 pursuant to Section 31-7-9. Such credentials or procurement cards
270 shall be provided by the State Department of Education to local
271 school districts on a date determined by the State Department of
272 Education, but not later than August 1 of each year. Local school
273 districts shall issue such credentials or procurement cards to
274 classroom teachers at the beginning of the school year, but no
275 later than August 1 of each year, and shall be issued in equal
276 amounts per teacher determined by the total number of qualifying
277 personnel and the current state appropriation for classroom
278 supplies with the Education Enhancement Fund. After initial cards
279 are issued under the timeline prescribed by this section, the
280 State Department of Education may issue cards to districts for any
281 classroom teacher hired after July 1 under a timeline prescribed
282 by the State Department of Education. Such credentials or cards
283 will expire on a predetermined date at the end of each school
284 year, but not before April 1 of each year * * *;

285 (b) Twenty-two and nine one-hundredths percent (22.09%)
286 to the Board of Trustees of State Institutions of Higher Learning
287 for the purpose of supporting institutions of higher learning; and



288 (c) Fourteen and forty-one one-hundredths percent
289 (14.41%) to the Mississippi Community College Board for the
290 purpose of providing support to community and junior colleges.

291 (4) The amount remaining in the Education Enhancement Fund
292 after funds are distributed as provided in subsections (2) and (3)
293 of this section shall be appropriated for other educational needs.

294 (5) None of the funds appropriated pursuant to subsection
295 (3) (a) of this section shall be used to reduce the state's General
296 Fund appropriation for the categories listed in an amount below
297 the following amounts:

298 (a) For subsection (3) (a) (ii) of this section,
299 Thirty-six Million Seven Hundred Thousand Dollars
300 (\$36,700,000.00);

301 (b) For the aggregate of minimum program allotments in
302 the 1997 fiscal year, formerly provided for in Chapter 19, Title
303 37, Mississippi Code of 1972, as amended, excluding those funds
304 for transportation as provided for in paragraph (a) of this
305 subsection.

306 (6) Any funds appropriated from the Education Enhancement
307 Fund that are unexpended at the end of a fiscal year shall lapse
308 into the Education Enhancement Fund * * *.

309 **SECTION 12.** Section 37-21-51, Mississippi Code of 1972, is
310 amended as follows:

311 37-21-51. (1) As used in this section:



312 (a) "Preschool or prekindergarten children" means any
313 children who have not entered kindergarten but will have obtained
314 four (4) years of age on or before September 1 of a school year.

315 (b) An "early learning collaborative" is a district or
316 countywide council that writes and submits an application to
317 participate in the voluntary prekindergarten program. An early
318 learning collaborative is comprised, at a minimum, of a public
319 school district and/or a local Head Start affiliate if in
320 existence, private or parochial schools, or one or more licensed
321 child care centers. Agencies or other organizations that work
322 with young children and their families may also participate in the
323 collaborative to provide resources and coordination even if those
324 agencies or organizations are not prekindergarten providers.

325 (c) A "prekindergarten provider" is a public, private
326 or parochial school, licensed child care center or Head Start
327 center that serves prekindergarten children and participates in
328 the voluntary prekindergarten program.

329 (d) A "lead partner" is a public school district or
330 other nonprofit entity with the instructional expertise and
331 operational capacity to manage the early learning collaborative's
332 prekindergarten program as described in the collaborative's
333 approved application for funds. The lead partner serves as the
334 fiscal agent for the collaborative and shall disburse awarded
335 funds in accordance with the collaborative's approved application.
336 The lead partner must facilitate a professional learning community



337 for the teachers in the prekindergarten program and lead the
338 collaborative. The lead partner ensures that the collaborative
339 adopts and implements curriculum and assessments that align with
340 the comprehensive early learning standards. The public school
341 district shall be the lead partner if no other qualifying lead
342 partner is selected.

343 (e) "Comprehensive early learning standards" are
344 standards adopted by the State Board of Education that address the
345 highest level of fundamental domains of early learning to include,
346 but not be limited to, physical well-being and motor development,
347 social/emotional development, approaches toward learning, language
348 development and cognition and general knowledge. The
349 comprehensive early learning standards shall also include
350 standards for emergent literacy skills, including oral
351 communication, knowledge of print and letters, phonological and
352 phonemic awareness, and vocabulary and comprehension development.

353 (f) An "evidence-based curriculum" is an
354 age-appropriate curriculum that demonstrates a statistically
355 significant effect on improving student outcomes or other relevant
356 outcomes based on:

357 (i) Strong evidence from at least one (1)
358 well-designed and well-implemented experimental study;

359 (ii) Moderate evidence from at least one (1)
360 well-designed and well-implemented quasi-experimental study; or



361 (iii) Promising evidence from at least one (1)
362 well-designed and well-implemented correlational study with
363 statistical controls for selection bias.

364 (2) To ensure that all children have access to quality early
365 childhood education and development services, the Legislature
366 finds and declares the following:

367 (a) Parents have the primary duty to educate their
368 young preschool children;

369 (b) The State of Mississippi can assist and educate
370 parents in their role as the primary caregivers and educators of
371 young preschool children;

372 (c) There is a need to explore innovative approaches
373 and strategies for aiding parents and families in the education
374 and development of young preschool children; and

375 (d) There exists a patchwork of prekindergarten
376 entities but no coordination of services and there needs to be a
377 coordination of these services.

378 (3) (a) This subsection shall be known and may be cited as
379 the "Early Learning Collaborative Act of 2013."

380 (b) Effective with the 2013-2014 school year, the
381 Mississippi State Department of Education shall establish a
382 voluntary prekindergarten program, which shall be a collaboration
383 among the entities providing prekindergarten programs including
384 Head Start, licensed child care facilities and licensed public,
385 parochial and private school prekindergarten programs. This



386 program shall be implemented no later than the 2014-2015 school
387 year. Enrollment in the prekindergarten program shall be
388 coordinated with the Head Start agencies in the local areas and
389 shall not be permitted to cause a reduction in children served by
390 the Head Start program. Under this program, eligible entities may
391 submit an application for funds to (i) defray the cost of
392 additional and/or more qualified teaching staff, appropriate
393 educational materials and equipment and to improve the quality of
394 educational experiences offered to four-year-old children in early
395 care and education programs, and/or to (ii) extend developmentally
396 appropriate education services at such programs currently serving
397 four-year-old children to include practices of high quality
398 instruction, and to (iii) administer, implement, monitor and
399 evaluate the programs, and to (iv) defray the cost of professional
400 development and age-appropriate child assessment.

401 (c) Subject to the availability of funds appropriated
402 therefor, the State Department of Education shall administer the
403 implementation, monitoring and evaluation of the voluntary
404 prekindergarten program, including awards and the application
405 process.

406 (i) The department shall establish a rigorous and
407 transparent application process for the awarding of funds. Lead
408 partners shall submit the applications on behalf of their early
409 learning collaborative.



410 (ii) The department will establish monitoring
411 policies and procedures that, at a minimum, will include at least
412 one (1) site visit a year.

413 (iii) The department will provide technical
414 assistance to collaboratives and their providers to improve the
415 quality of prekindergarten programs. Technical assistance may
416 include classroom-embedded support for teachers and assistant
417 teachers.

418 (iv) The department will evaluate the
419 effectiveness of each early childhood collaborative and each
420 prekindergarten provider. If the State Department of Education
421 adopts a statewide kindergarten screening that assesses the
422 readiness of each student for kindergarten, the State Department
423 of Education shall adopt a minimum rate of readiness that each
424 prekindergarten provider must meet in order to remain eligible for
425 prekindergarten program funds. Each parent who enrolls his or her
426 child in the prekindergarten program must submit the child for the
427 statewide kindergarten screening, regardless of whether the child
428 is admitted to kindergarten in a public school.

429 (d) Prekindergarten program funds shall be awarded to
430 early childhood collaboratives whose proposed programs meet the
431 program criteria. The criteria shall include:

432 (i) Voluntary enrollment of children;



433 (ii) Collaboration among prekindergarten providers
434 and other early childhood programs through the establishment of an
435 early learning collaborative;

436 (iii) Qualifications of master teachers, teachers
437 and assistants, which must conform to guidelines in Section
438 37-21-3;

439 (iv) At least fifteen (15) hours of annual
440 professional development for program instructional staff,
441 including professional development in early literacy, and
442 individualized professional development plans for all teachers and
443 teaching assistants supplemented by classroom-embedded support on
444 an as-needed basis;

445 (v) The use of state-adopted comprehensive early
446 learning standards;

447 (vi) The use of a curriculum based on strong
448 evidence as defined in subsection (1)(f)(i) of this section and
449 aligned with the comprehensive early learning standards;

450 (vii) The use of a curriculum based on moderate
451 evidence as defined in subsection (1)(f)(ii) of this section and
452 aligned with the comprehensive early learning standards if no
453 strong-evidence curriculum is available;

454 (viii) The use of a curriculum based on promising
455 evidence as defined in subsection (1)(f)(iii) of this section and
456 aligned with the comprehensive early learning standards if no



457 strong-evidence curriculum or moderate-evidence curriculum is
458 available;

459 (ix) The use of age-appropriate assessments
460 aligned to the comprehensive early learning standards;

461 (x) Teacher/child ratios of one (1) adult for
462 every ten (10) children with a maximum of twenty (20) children per
463 classroom and a minimum of five (5) children per classroom;

464 (xi) The provision of at least one (1) meal
465 meeting state and federal nutrition guidelines for young children;

466 (xii) Plans to screen and/or refer children for
467 vision, hearing and other health issues;

468 (xiii) Family engagement opportunities;

469 (xiv) Plans to serve children with disabilities as
470 indicated under IDEA;

471 (xv) The number of instructional hours to be
472 provided, which shall equal no less than five hundred forty (540)
473 instructional hours per school year for half-day programs and one
474 thousand eighty (1,080) instructional hours per school year for
475 full-day programs; and

476 (xvi) A budget detailing the use of funds for
477 allowed expenses.

478 Participating child care centers shall: (a) meet state child
479 care facility licensure requirements unless exempted under Section
480 43-20-5, Mississippi Code of 1972, and (b) select and utilize a
481 nationally recognized assessment tool, approved by the State



482 Department of Education, designed to document classroom quality,
483 which must be in place not later than July 1, 2016, as certified
484 by the State Department of Education.

485 Within the prekindergarten program, a prekindergarten
486 provider must comply with the antidiscrimination requirements
487 applicable to public schools. A prekindergarten provider may not
488 discriminate against a parent or child, including the refusal to
489 admit a child for enrollment in the prekindergarten program, in
490 violation of these antidiscrimination requirements. However, a
491 prekindergarten provider may refuse to admit a child based on the
492 provider's standard eligibility guidelines, provided that these
493 guidelines do not violate the antidiscrimination requirements.
494 Consistent with the Legislature's recognition of the primacy of a
495 parent's role in the education of a preschool-age child and the
496 related recognition of the state in assisting and educating
497 parents in that role, if the State Department of Education adopts
498 a statewide kindergarten screening that assesses the readiness of
499 each student for kindergarten, the State Department of Education
500 shall recognize each child's unique pattern of development when
501 adopting a minimum rate of readiness that prekindergarten
502 providers must meet in order to remain eligible for
503 prekindergarten program funds. Each parent who enrolls his or her
504 child in the prekindergarten program may submit the child for the
505 statewide kindergarten screening, regardless of whether the child
506 is admitted to kindergarten in a public school.



507 The State Department of Education may add program criteria
508 not inconsistent with these requirements and shall develop
509 policies and procedures to implement and enforce these criteria.

510 (e) The State Department of Education shall ensure that
511 early learning collaboratives provide each parent enrolling a
512 child in the voluntary prekindergarten program with a profile of
513 every prekindergarten provider participating in the
514 collaborative's geographic catchment area. The State Department
515 of Education shall prescribe the information to be included in
516 each profile as well as the format of the profiles. At a minimum,
517 the profiles must include the prekindergarten provider's services,
518 curriculum, instructor credentials and instructor-to-student
519 ratio.

520 (f) A teacher, assistant teacher or other employee
521 whose salary and fringe benefits are paid from state funds under
522 this act shall only be classified as a state or local school
523 district employee eligible for state health insurance benefits or
524 membership in the Public Employees' Retirement System, if the
525 person's employer is already an agency or instrumentality of the
526 state, such as a school district, and the employee would be
527 eligible for such benefits in the normal course of business.

528 (g) Funding shall be provided for this program
529 beginning with the 2014 fiscal year subject to appropriation by
530 the Legislature as provided in paragraph (h) of this subsection.
531 The department shall make an annual report to the Legislature and



532 the Governor regarding program operations and outcomes. Every
533 three (3) years, with the first report due July 1, 2023, the
534 department shall provide to the Legislature and the Governor a
535 rigorous evaluation of program effectiveness using longitudinal
536 data to measure short-term and long-term effects, including both
537 achievement and nonachievement effects. After each three-year
538 report, the PEER Committee shall review the three-year report and
539 the intervening annual reports and submit an independent summary
540 of its findings prior to the next legislative session.

541 (h) (i) The Legislature shall appropriate funds to
542 implement the Early Education Collaborative Act of 2013 on a
543 phased-in basis as follows:

544 1. The first phase shall be based on an
545 annual state appropriation of not more than Eight Million Dollars
546 (\$8,000,000.00) and shall serve approximately three thousand five
547 hundred (3,500) children through five (5) to eight (8) early
548 learning collaboratives and their prekindergarten providers;

549 2. The second phase shall be based on an
550 annual state appropriation of not more than Sixteen Million
551 Dollars (\$16,000,000.00) and shall serve approximately seven
552 thousand (7,000) children through ten (10) to fifteen (15) early
553 learning collaboratives and their prekindergarten providers;

554 3. The third phase shall be based on an
555 annual state appropriation of not more than Thirty-three Million
556 Nine Hundred Fifty Thousand Dollars (\$33,950,000.00) and shall



557 serve approximately fifteen thousand (15,000) children through
558 twenty (20) to twenty-five (25) early learning collaboratives and
559 their prekindergarten providers.

560 (ii) Future phases shall be based on interest in
561 the program and the effectiveness of the program as determined by
562 the school readiness of participants. Each phase shall last for
563 at least three (3) years but no more than five (5) years. The
564 State Department of Education shall determine when to move to a
565 new phase of the program, within the timeline provided herein.

566 (iii) Funding shall be provided to early learning
567 collaboratives on the basis of a minimum of Two Thousand Five
568 Hundred Dollars (\$2,500.00) per student in a full-day program per
569 student in a full-day program and a minimum of One Thousand Two
570 Hundred Fifty Dollars (\$1,250.00) per student in a half-day
571 program proposed in the collaborative's approved application.
572 Once an early learning collaborative's plan is approved and
573 funded, the collaborative and/or its prekindergarten providers
574 shall receive funds on an ongoing basis unless the collaborative
575 and/or its prekindergarten providers no longer meet the criteria
576 to participate in the program.

577 (iv) Early learning collaboratives shall match
578 state funds on a 1:1 basis. Local matching funds may include
579 local tax dollars, federal dollars as allowed, parent tuition,
580 philanthropic contributions, or in-kind donations of facilities,



581 equipment and services required as part of the program such as
582 food service or health screenings.

583 (v) The State Department of Education shall
584 reserve no more than five percent (5%) of the appropriation in any
585 year for administrative costs. * * * In the first year of
586 implementation of the program, the department may delay the
587 awarding of funds until the 2014-2015 school year should time not
588 be sufficient to establish the program's operation prior to the
589 2013-2014 school year.

590 (vi) In the initial phase of implementation, the
591 State Department of Education shall award state funds under the
592 Early Learning Collaborative Act of 2013 based on a community's
593 capacity, commitment and need. To determine capacity, commitment
594 and need, the State Department of Education shall require evidence
595 of existing strong local collaborations of early education
596 stakeholders. Such evidence shall include, but not be limited to,
597 collaborations resulting from any of the following:

- 598 1. Participation in Excel By 5;
- 599 2. Participation in Supporting Partnerships
600 to Assure Ready Kids (SPARK);
- 601 3. Participation in the Gilmore Early
602 Learning Initiative (GELI); or
- 603 4. Participation in the Mississippi Building
604 Blocks.



605 In determining community need, the department shall consider
606 low academic achievement within the public school districts
607 participating in an applicant early learning collaborative and the
608 number and percentage of children without quality prekindergarten
609 options.

610 (vii) All authority granted to the State
611 Department of Education to establish program rules is subject to
612 the public processes established in the provisions of the
613 Mississippi Administrative Procedures Law, including, but not
614 limited to, filing notice of the proposed rules, public hearings
615 and any economic impact statement with the Office of the Secretary
616 of State before presenting such information to the State Board of
617 Education for final approval.

618 **SECTION 13.** Section 49-39-7, Mississippi Code of 1972, is
619 amended as follows:

620 49-39-7. (1) (a) There is created in the State Treasury a
621 special fund to be designated the "Mississippi Outdoor Stewardship
622 Trust Fund." The special fund shall consist of monies
623 appropriated by the Legislature. Monies shall be accounted for in
624 such a manner to be termed unobligated funds or obligated funds.
625 Unexpended amounts remaining in the special fund at the end of a
626 fiscal year shall not lapse into the State General Fund, and any
627 investment earnings or interest earned on amounts in the special
628 fund shall be deposited to the credit of the special fund;
629 however, any unobligated monies in excess of Twenty Million



630 Dollars (\$20,000,000.00), excluding federal funds, remaining in
631 the special fund at the end of a fiscal year that have not been
632 appropriated shall lapse into the State General Fund. Monies in
633 the special fund may be used upon selection by the board. The
634 board and the Department of Finance and Administration may use not
635 more than two percent (2%) of monies in the special fund to defray
636 the board's expenses in carrying out its duties under this
637 chapter.

638 (b) Subject to the provisions of this chapter, monies
639 in the special fund may be used and expended by the board to
640 provide funds for grants to counties, municipalities, state
641 agencies and nongovernmental entities for:

642 (i) Improvement of state park outdoor recreation
643 features and trails;

644 (ii) Acquisition and improvement of parks and
645 trails by counties and municipalities, if such parks and trails
646 lie within the jurisdiction of such counties and municipalities;

647 (iii) Restoration or enhancement projects to
648 create or improve access to public waters and lands for public
649 outdoor recreation, conservation education, or the safe use and
650 enjoyment of permanently protected conservation land;

651 (iv) Restoration or enhancement on privately owned
652 working agricultural lands and forests that support conservation
653 of soil, water, habitat of fish and wildlife resources;



654 (v) Restoration or enhancement of wetlands, native
655 forests, native grasslands and other unique habitats important for
656 Mississippi's fish and wildlife; and

657 (vi) Acquisition of critical areas for the
658 provision or protection of clean water, wildlife, hunting,
659 fishing, military installation buffering or natural resource-based
660 outdoor recreation. Real property may only be acquired under this
661 subparagraph (vi) when the property:

662 1. Is, at the time of acquisition, being
663 leased by the state as a wildlife management area;

664 2. Adjoins or is in close proximity to state
665 or federal wildlife management areas or state parks, or would
666 provide better public access to such areas;

667 3. Is identified in a wildlife action plan
668 developed by a state agency;

669 4. Constitutes riparian lands, and its
670 acquisition is for the purpose of protecting any drinking water
671 supply; or

672 5. Surrounds a military base or military
673 installation.

674 Acquisition of land under this subparagraph (vi) may not be
675 made through the exercise of any power of eminent domain or any
676 condemnation proceeding.

677 (c) Unless otherwise authorized by the board, a county,
678 municipality, state agency or nongovernmental entity receiving



679 funds for a project under this section must expend the funds for
680 the project within two (2) years after receipt of the funds in
681 order to be eligible to apply for additional funds for the project
682 under this section. If a county, municipality, state agency or
683 nongovernmental entity receiving funds for a project does not
684 expend the funds within two (2) years after receipt of the funds,
685 then the county, municipality, state agency or nongovernmental
686 entity must provide an accounting of such unused funds and the
687 reason for failure to expend the funds. If the board determines
688 that the project will not be completed in a timely manner, the
689 county, municipality, state agency or nongovernmental entity must
690 then return any unexpended funds.

691 (d) Monies in the special fund may not be used,
692 expended or transferred for any other purpose other than
693 authorized in this chapter.

694 (2) (a) The board shall accept applications from counties,
695 municipalities, state agencies and nongovernmental entities for
696 project proposals eligible for funding under this section. The
697 board shall evaluate the proposals received in accordance with
698 this chapter.

699 (b) A county, municipality, state agency or
700 nongovernmental entity desiring assistance under this section must
701 submit a complete application to the board. The application must
702 include a description of the purpose for which assistance is



703 requested, the type and amount of assistance requested and any
704 other information required by the board.

705 (c) The board shall require annual independent audits
706 of all expenditures from the special fund and present those
707 findings to the Governor, Lieutenant Governor, Speaker of the
708 House, Chairs of the Senate and House Appropriations Committees,
709 Chairs of the Senate Finance and House Ways and Means Committees
710 and Chairs of the Senate and House Wildlife, Fisheries and Parks
711 Committees.

712 (d) To be eligible for funding, any nongovernmental
713 entity applicant must submit its most recent audit, disclose any
714 audit deficiencies in the previous five (5) years, submit its
715 certificate of good standing from the Mississippi Secretary of
716 State, and submit a current list of its board members for purposes
717 of conflicts of interest.

718 (e) For funds to be spent on private land, the
719 applicant must show demonstrably that the project will benefit the
720 public.

721 (f) Projects that acquire property shall not be
722 considered for approval until after July 1, 2024.

723 (3) The board, at its first meeting of each calendar year,
724 shall prepare a list of priorities and criteria to guide the
725 selection of projects. The board shall give increased priority to
726 projects:



727 (a) Supporting the public recreation and conservation
728 efforts of state agencies, counties and municipalities;

729 (b) Leveraging or matching other nonfederal or federal
730 funds available for similar purposes;

731 (c) Supporting and promoting recreation in the form of
732 archery, boating, hiking, camping, fishing, hunting, running,
733 jogging, biking, walking, shooting or similar outdoor activities;

734 (d) Contributing to the improvement of the quality and
735 quantity of surface water and groundwater; or

736 (e) Contributing to the conservation of soil, water,
737 and fish and wildlife resources on privately owned working
738 agricultural lands or forests.

739 (4) Upon approval of the total list of projects by the
740 board, the list of projects shall be submitted to the Lieutenant
741 Governor, Speaker of the House, Chairs of the Senate and House
742 Appropriations Committees, Chairs of the Senate Finance and House
743 Ways and Means Committees and Chairs of the Senate and House
744 Wildlife, Fisheries and Parks Committees. If federal funds or
745 guidelines become available and are certified by the Executive
746 Director of the Department of Finance and Administration or the
747 Executive Director of the Mississippi Outdoor Stewardship Fund,
748 the board shall be authorized to expend funds from the Mississippi
749 Outdoor Stewardship Trust Fund and shall notify the Lieutenant
750 Governor, Speaker of the House, Chairs of the Senate and House
751 Appropriations Committees, Chairs of the Senate Finance and House



752 Ways and Means Committees, Chairs of the Senate and House
753 Wildlife, Fisheries and Parks Committees, and Legislative Budget
754 Office of such expenditures prior to their distribution to certain
755 projects approved by the board.

756 (5) Any state agency that receives funds awarded by the
757 board from the Mississippi Outdoor Stewardship Trust Fund may
758 accept, budget, receive and expend these funds in accordance with
759 rules and regulations of the Department of Finance and
760 Administration in the manner consistent with the escalation of
761 federal funds.

762 **SECTION 14.** Section 27-103-204.1, Mississippi Code of 1972,
763 is amended as follows:

764 27-103-204.1. Through the end of fiscal year 2028, the State
765 Treasurer may borrow funds from the Working Cash-Stabilization
766 Reserve Fund created in Section 27-103-203 to offset any temporary
767 cash flow deficiencies in the GF Obligations Fund (Fund No.
768 22951000000). The amount borrowed from the Working
769 Cash-Stabilization Reserve Fund under this section shall not
770 exceed Two Hundred Fifty Million Dollars (\$250,000,000.00) during
771 any month. The State Treasurer may accept, budget, receive and
772 expend the funds borrowed in accordance with rules and regulations
773 of the Department of Finance and Administration in the manner
774 consistent with the escalation of federal funds. The State
775 Treasurer shall reimburse the Working Cash-Stabilization Reserve
776 Fund from the GF Obligations Fund for all sums borrowed for such



777 temporary cash flow deficiency purposes within twenty (20) working
778 days after the funds were borrowed. The State Treasurer shall
779 immediately notify the Legislative Budget Office and the State
780 Department of Finance and Administration of each transfer into and
781 out of such funds.

782 **SECTION 15.** Upon the effective date of this act, the
783 Treasurer, in conjunction with the State Fiscal Officer, shall
784 transfer the sum of Five Million Dollars (\$5,000,000.00) from the
785 Capital Expense Fund (Fund No. 6499C00000) to the Forestry
786 Facility Grant Program Fund (Fund No. 66142100000).

787 **SECTION 16.** This act shall take effect and be in force from
788 and after its passage.

