

By: Senator(s) Hopson, Polk, Williams,
Michel, Seymour, Tate

To: Appropriations

SENATE BILL NO. 3042
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INFORMATION
3 TECHNOLOGY SERVICES FOR FISCAL YEAR 2025.

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

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is hereby appropriated out of any money in the State
7 General Fund not otherwise appropriated for the purpose of
8 defraying the expenses of the Mississippi Department of
9 Information Technology Services, for the fiscal year beginning
10 July 1, 2024, and ending June 30, 2025.....\$ 26,715,410.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is hereby appropriated out of any money in the special
13 fund in the State Treasury to the credit of the Mississippi
14 Department of Information Technology Services which are collected
15 by or otherwise become available for the purpose of defraying
16 expenses of the Mississippi Department of Information Technology
17 Services as established in Section 27-104-203, Mississippi Code of



18 1972, for the fiscal year beginning July 1, 2024, and ending
19 June 30, 2025.....\$ 25,187,878.00.

20 The funds in this section are provided to defray the costs
21 incurred by the Department of Information Technology Services for
22 providing telecommunication services, data center services, and/or
23 other information technology services to state agencies.

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

26 AUTHORIZED HEADCOUNT:

27 Permanent: 132

28 Time-Limited: 0

29 With the funds herein appropriated, it shall be the agency's
30 responsibility to make certain that funds required for Personal
31 Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds
32 appropriated for that purpose unless programs or positions are
33 added to the agency's Fiscal Year 2025 budget by the Mississippi
34 Legislature. The Legislature shall determine the agency's
35 personal services appropriation, which the State Personnel Board
36 shall publish. The agency's personal services appropriation may
37 consist of restricted funds for approved vacancies for Fiscal Year
38 2025 that may be utilized to fill vacant Fiscal Year 2024
39 headcount. It shall be the agency's responsibility to ensure that
40 the funds provided for vacancies are used to increase headcount
41 and not for promotions, title changes, in-range salary adjustments
42 or any other mechanism for increasing salaries for current



43 employees. It is the Legislature's intention that no employee
44 salary falls below the minimum salary established by the
45 Mississippi State Personnel Board.

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

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

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



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

72 **SECTION 4.** Of the funds appropriated in Section 1 of this
73 act, it is the intention of the Legislature that the Executive
74 Director of Information Technology Services (ITS) shall have
75 authority to transfer an amount not to exceed Seven Hundred Fifty
76 Thousand Dollars (\$750,000.00) to the ITS Revolving Fund
77 (3360900000). The purpose of this authority is to provide
78 operating cash to alleviate cash flow problems in the ITS
79 Revolving Fund. Any funds transferred during the fiscal year
80 shall be transferred back to the State General Fund before the end
81 of the lapse period for the fiscal year.

82 **SECTION 5.** In addition to all other funds appropriated
83 herein, the following sum, or so much thereof as may be necessary,
84 is appropriated out of any money in the State General Fund, not
85 otherwise appropriated, for the purpose of defraying the expenses
86 of the Wireless Communication Commission for the fiscal year
87 beginning July 1, 2024, and ending June 30, 2025.....
88\$ 11,968,985.00.

89 The Wireless Communication Commission shall follow all state
90 procurement and bid laws for all contracts and consultants.

91 **SECTION 6.** Of the funds appropriated under the provisions of
92 this act, the following positions are authorized:



93 AUTHORIZED HEADCOUNT:

94 Permanent: 10

95 Time-Limited: 0

96 With the funds herein appropriated, it shall be the agency's
97 responsibility to make certain that funds required for Personal
98 Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds
99 appropriated for that purpose unless programs or positions are
100 added to the agency's Fiscal Year 2025 budget by the Mississippi
101 Legislature. The Legislature shall determine the agency's
102 personal services appropriation, which the State Personnel Board
103 shall publish. The agency's personal services appropriation may
104 consist of restricted funds for approved vacancies for Fiscal Year
105 2025 that may be utilized to fill vacant Fiscal Year 2024
106 headcount. It shall be the agency's responsibility to ensure that
107 the funds provided for vacancies are used to increase headcount
108 and not for promotions, title changes, in-range salary adjustments
109 or any other mechanism for increasing salaries for current
110 employees. It is the Legislature's intention that no employee
111 salary falls below the minimum salary established by the
112 Mississippi State Personnel Board.

113 Additionally, the State Personnel Board shall determine and
114 publish the projected annualized payroll costs based on current
115 employees. It shall be the responsibility of the agency head to
116 ensure that actual personnel expenditures for Fiscal Year 2025 do
117 not exceed the data provided by the Legislative Budget Office. If



118 the agency's Fiscal Year 2025 projected cost exceeds the
119 annualized costs, no salary actions shall be processed by the
120 State Personnel Board except for new hires determined to be
121 essential for the agency.

122 Any transfers or escalations shall be made in accordance with
123 the terms, conditions, and procedures established by law or
124 allowable under the terms set forth within this act. The State
125 Personnel Board shall not escalate positions without written
126 approval from the Department of Finance and Administration. The
127 Department of Finance and Administration shall not provide written
128 approval to escalate any funds for salaries and/or positions
129 without proof of availability of new or additional funds above the
130 appropriated level.

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

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

139 **SECTION 7.** It is the intention of the Legislature that none
140 of the funds appropriated under the provisions of this act for the
141 Wireless Communication Commission (WCC) shall be expended for the
142 purpose of making a payment of any kind or for any purpose,



143 directly or indirectly, to a member of the State of Mississippi
144 Legislature, state official, WCC member, or person who has been a
145 member of the WCC within the last year.

146 **SECTION 8.** It is the intention of the Legislature that the
147 Department of Information Technology Services shall maintain
148 complete accounting and personnel records related to the
149 expenditure of all funds appropriated under the provisions of this
150 act and that such records shall be in the same format and level of
151 details as maintained for Fiscal Year 2024. It is further the
152 intention of the Legislature that the budget request for Fiscal
153 Year 2026 shall be submitted to the Joint Legislative Budget
154 Committee in a format and level of detail comparable to the format
155 and level of detail provided during the Fiscal Year 2025 budget
156 request process.

157 **SECTION 9.** It is the intention of the Legislature that
158 whenever two (2) or more bids are received by this agency for the
159 purchase of commodities or equipment, and whenever all things
160 stated in such received bids are equal with respect to price,
161 quality and service, the Mississippi Industries for the Blind
162 shall be given preference. A similar preference shall be given to
163 the Mississippi Industries for the Blind whenever purchases are
164 made without competitive bids.

165 **SECTION 10.** It is the intention of the Legislature that the
166 funds herein appropriated shall be expended in compliance with
167 Section 27-104-25, Mississippi Code of 1972, that no state agency



168 shall incur obligations or indebtedness in excess of their
169 appropriation and that the responsible officers, either personally
170 or upon their official bonds, shall be held responsible for
171 actions contrary to this provision.

172 **SECTION 11.** The following sum, or so much thereof as may be
173 necessary, is reappropriated out of any money in the Capital
174 Expense Fund not otherwise appropriated for the Wireless
175 Communication Commission for the purpose of reauthorizing the
176 expenditure of Capital Expense Fund, as appropriated in SB 3045,
177 2023 Regular Session, for the statewide refurbishment of the
178 Mississippi Wireless Information Network (MSWIN) system for the
179 fiscal year beginning July 1, 2024, and ending
180 June 30, 2025.....\$ 8,638,705.00.

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

187 **SECTION 12.** Of the funds appropriated under the provisions
188 of Section 2, Three Million Seven Hundred Thousand Dollars
189 (\$3,700,000.00), or so much thereof, shall be derived out of any
190 money in the State Treasury to the credit of the Capital Expense
191 Fund, as created in Section 27-103-303, Mississippi Code of 1972,
192 and allocated in a manner as determined by the State Treasurer.



193 These funds are provided to the Mississippi Department of
194 Information Technology Services for upgrades, maintenance, and
195 refresh of the Statewide Payroll and Human Resource System
196 (SPAHRs).

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

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

