

By: Senator(s) Hopson, Polk, Michel, Turner- Ford, Wiggins To: Appropriations

SENATE BILL NO. 3048

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 OFFICE OF THE SECRETARY OF STATE FOR 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 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, 2024, and ending June 30, 2025.....
9\$ 12,844,299.00.

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, 2024, and ending
15 June 30, 2025.....\$ 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 2026 do not exceed Fiscal Year 2025 funds
24 appropriated for that purpose unless programs or positions are
25 added to the agency's Fiscal Year 2025 budget by the Mississippi
26 Legislature. The Legislature shall determine the agency's personal
27 services appropriation, which the State Personnel Board shall
28 publish. In accordance with applicable laws, if an agency
29 determines that its personal services amount is insufficient, the
30 agency must contact the State Personnel Board. Any adjustment to
31 the personal services amount must be approved by the State
32 Personnel Director and the State Fiscal Officer after consultation
33 with the Legislative Budget Office. Any adjustment shall be
34 reported to the Legislative Budget Office and the House and Senate
35 Appropriations Chairmen. The agency's personal services
36 appropriation may consist of restricted funds for approved
37 vacancies for Fiscal Year 2025 that may not be utilized for active
38 Fiscal Year 2024 headcount. It shall be the agency's
39 responsibility to ensure that the funds provided for vacancies are
40 used to increase headcount and not for promotions, title changes,
41 in-range salary adjustments, or any other mechanism for increasing
42 salaries for current employees. If the State Personnel Board
43 determines that an agency has used provided vacancy funds for any



44 of the mechanisms previously listed, the State Personnel Board
45 shall not process any additional salary actions for the agency in
46 the current fiscal year, except for new hires determined by the
47 State Personnel Board to be essential for the agency. It is the
48 Legislature's intention that no employee salary falls below the
49 minimum salary established by the Mississippi State Personnel
50 Board.

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

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



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

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

77 **SECTION 4.** None of the funds appropriated by this act shall
78 be expended for any purpose that is not actually required or
79 necessary for performing any of the powers or duties of the Office
80 of the Secretary of State that are authorized by the Mississippi
81 Constitution of 1890, state or federal law, or rules or
82 regulations that implement state or federal law.

83 **SECTION 5.** No part of the funds appropriated herein shall be
84 used, either directly or indirectly, for the purpose of paying any
85 clerk, stenographer, assistant, deputy, or other person who may be
86 related by blood or marriage within the third degree, computed by
87 the rules of the civil law, to the official employing or having
88 the right of employment or selection thereof; and in the event of
89 any such payment, then the official or person approving and making
90 or receiving such payment shall be jointly and severally liable to
91 return to the State of Mississippi and to pay into the State
92 Treasury three (3) times any such amount so paid or received, to
93 be recovered at suit of the Attorney General; provided that when



94 the relationship is by affinity and the person through whom the
95 relationship was established is dead, this provision shall not
96 apply.

97 **SECTION 6.** Of the funds appropriated in Section 1 of this
98 act, the Secretary of State may use funds appropriated for the
99 purposes of defraying litigation expenses associated with the
100 enforcement of the Mississippi Securities Act, the Regulation of
101 Charitable Solicitations Act, and the administration of the Public
102 Trust.

103 **SECTION 7.** In compliance with the "Mississippi Performance
104 Budget and Strategic Planning Act of 1994," it is the intent of
105 the Legislature that the funds provided herein shall be utilized
106 in the most efficient and effective manner possible to achieve the
107 intended mission of this agency. Based on the funding authorized,
108 this agency shall make every effort to attain the targeted
109 performance measures provided below:

	FY2025
<u>Performance Measures</u>	<u>Target</u>
Business Services	
Percent of Business Services Customer	
Phone Calls Answered	95.00
Elections	
Number of Poll Workers to Successfully	
Complete the Online Training Program	82
Number of Voter Registrations Updated on	



119	Secure Online Website	1,433
120	Percent of Poll Workers who Successfully	
121	Complete the Online Poll Manager	
122	Training on Their First Attempt	60.00
123	Publications	
124	Number of Visits to the Secretary of	
125	State's Website	9,000,000
126	Public Lands	
127	Number of Tax-Forfeited Properties Sold	2,000
128	Support Services	
129	Support Services as a Percent of Total	
130	Agency Expenditures	16.00
131	A reporting of the degree to which the performance targets	
132	set above have been or are being achieved shall be provided in the	
133	agency's budget request submitted to the Joint Legislative Budget	
134	Committee for Fiscal Year 2026.	

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

139 **SECTION 9.** Of the funds appropriated in Section 2 of this
140 act, One Million Seven Hundred Fifty Thousand Dollars
141 (\$1,750,000.00), or so much thereof as may be necessary, is
142 appropriated out of any money in the State Treasury to the credit
143 of the Land Records Maintenance Fund, for the purpose of making



144 distributions to local governments for taxes owed during the
145 fiscal year.

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

155 **SECTION 11.** Of the funds appropriated in Section 2 of this
156 act, Eleven Million Dollars (\$11,000,000.00), or so much thereof
157 as may be necessary, is appropriated out of any money in the State
158 Treasury to the credit of the Public Trust Tidelands Fund, and is
159 authorized to be transferred by the Secretary of State to the
160 Mississippi Department of Marine Resources.

161 **SECTION 12.** It is the intention of the Legislature that
162 whenever two (2) or more bids are received by this agency for the
163 purchase of commodities or equipment, and whenever all things
164 stated in such received bids are equal with respect to price,
165 quality and service, the Mississippi Industries for the Blind
166 shall be given preference. A similar preference shall be given to
167 the Mississippi Industries for the Blind whenever purchases are
168 made without competitive bids.



169 **SECTION 13.** Of the funds appropriated in Section 1 of this
170 act, One Million Dollars (\$1,000,000.00) is for the purpose of
171 expenses related to cybersecurity and election integrity.

172 **SECTION 14.** The money herein appropriated shall be paid by
173 the State Treasurer out of any money in the State Treasury to the
174 credit of the proper fund or funds as set forth in this act, upon
175 warrants issued by the State Fiscal Officer; and the State Fiscal
176 Officer shall issue his warrants upon requisitions signed by the
177 proper person, officer or officers in the manner provided by law.

178 **SECTION 15.** This act shall take effect and be in force from
179 and after July 1, 2024, and shall stand repealed from and after
180 June 30, 2024.

