

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

SENATE BILL NO. 3048 (As Sent to Governor)

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 .....\$ 13,371,056.00.

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.....\$ 25,325,707.00.

16 SECTION 3. Of the funds appropriated under the provisions of
17 Section 1, the following positions are authorized:

18 AUTHORIZED HEADCOUNT:



19 Permanent: 96

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

38 Additionally, the State Personnel Board shall determine and  
39 publish the projected annualized payroll costs based on current  
40 employees. It shall be the responsibility of the agency head to  
41 ensure that actual personnel expenditures for Fiscal Year 2025 do  
42 not exceed the data provided by the Legislative Budget Office. If  
43 the agency's Fiscal Year 2025 projected cost exceeds the



44 annualized costs, no salary actions shall be processed by the  
45 State Personnel Board except for new hires determined to be  
46 essential for the agency.

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

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

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

64 **SECTION 4.** It is the intention of the Legislature that the  
65 Office of the Secretary of State shall maintain complete  
66 accounting and personnel records related to the expenditure of all  
67 funds appropriated under this act and that such records shall be  
68 in the same format and level of detail as maintained for Fiscal



69 Year 2024. It is further the intention of the Legislature that  
70 the agency's budget request for Fiscal Year 2026 shall be  
71 submitted to the Joint Legislative Budget Committee in a format  
72 and level of detail comparable to the format and level of detail  
73 provided during the Fiscal Year 2025 budget request process.

74 **SECTION 5.** None of the funds appropriated by this act shall  
75 be expended for any purpose that is not actually required or  
76 necessary for performing any of the powers or duties of the Office  
77 of the Secretary of State that are authorized by the Mississippi  
78 Constitution of 1890, state or federal law, or rules or  
79 regulations that implement state or federal law.

80 **SECTION 6.** No part of the funds appropriated herein shall be  
81 used, either directly or indirectly, for the purpose of paying any  
82 clerk, stenographer, assistant, deputy, or other person who may be  
83 related by blood or marriage within the third degree, computed by  
84 the rules of the civil law, to the official employing or having  
85 the right of employment or selection thereof; and in the event of  
86 any such payment, then the official or person approving and making  
87 or receiving such payment shall be jointly and severally liable to  
88 return to the State of Mississippi and to pay into the State  
89 Treasury three (3) times any such amount so paid or received, to  
90 be recovered at suit of the Attorney General; provided that when  
91 the relationship is by affinity and the person through whom the  
92 relationship was established is dead, this provision shall not  
93 apply.



94           **SECTION 7.** Of the funds appropriated in Section 1 of this  
 95 act, the Secretary of State may use funds appropriated for the  
 96 purposes of defraying litigation expenses associated with the  
 97 enforcement of the Mississippi Securities Act, the Regulation of  
 98 Charitable Solicitations Act, and the administration of the Public  
 99 Trust.

100           **SECTION 8.** In compliance with the "Mississippi Performance  
 101 Budget and Strategic Planning Act of 1994," it is the intent of  
 102 the Legislature that the funds provided herein shall be utilized  
 103 in the most efficient and effective manner possible to achieve the  
 104 intended mission of this agency. Based on the funding authorized,  
 105 this agency shall make every effort to attain the targeted  
 106 performance measures provided below:

107		FY2025
108	<u>Performance Measures</u>	<u>Target</u>
109	Business Services	
110	Percent of Business Services Customer	
111	Phone Calls Answered	95.00
112	Elections	
113	Number of Poll Workers to Successfully	
114	Complete the Online Training Program	82
115	Number of Voter Registrations Updated on	
116	Secure Online Website	6,400
117	Percent of Poll Workers who Successfully	
118	Complete the Online Poll Manager	



119	Training on Their First Attempt	60.00
120	Publications	
121	Number of Visits to the Secretary of	
122	State's Website	9,000,000
123	Public Lands	
124	Number of Tax-Forfeited Properties Sold	2,000
125	Support Services	
126	Support Services as a Percent of Total	
127	Agency Expenditures	25.00

128 A reporting of the degree to which the performance targets  
129 set above have been or are being achieved shall be provided in the  
130 agency's budget request submitted to the Joint Legislative Budget  
131 Committee for Fiscal Year 2026.

132 **SECTION 9.** Of the funds appropriated in Section 1 of this  
133 act, no more than Five Hundred Thousand Dollars (\$500,000.00) is  
134 provided for paying principal and interest on bond issues for  
135 county voting systems.

136 **SECTION 10.** Of the funds appropriated in Section 2 of this  
137 act, One Million Seven Hundred Fifty Thousand Dollars  
138 (\$1,750,000.00), or so much thereof as may be necessary, is  
139 appropriated out of any money in the State Treasury to the credit  
140 of the Land Records Maintenance Fund, for the purpose of making  
141 distributions to local governments for taxes owed during the  
142 fiscal year.



143           **SECTION 11.** Of the funds appropriated in Section 2 of this  
144 act, Four Million Two Hundred Fifteen Thousand Three Hundred  
145 Ninety-three Dollars (\$4,215,393.00), or so much thereof as may be  
146 necessary, is appropriated out of any money in the State Treasury  
147 to the credit of the Elections Support Fund, for the purpose of  
148 acquiring, upgrading, maintaining, or repairing voting equipment,  
149 systems, and supplies, hiring temporary technical support,  
150 conducting elections using such voting equipment or systems and  
151 training election officials during the fiscal year.

152           **SECTION 12.** Of the funds appropriated in Section 2 of this  
153 act, Eleven Million Dollars (\$11,000,000.00), or so much thereof  
154 as may be necessary, is appropriated out of any money in the State  
155 Treasury to the credit of the Public Trust Tidelands Fund, and is  
156 authorized to be transferred by the Secretary of State to the  
157 Mississippi Department of Marine Resources.

158           **SECTION 13.** It is the intention of the Legislature that  
159 whenever two (2) or more bids are received by this agency for the  
160 purchase of commodities or equipment, and whenever all things  
161 stated in such received bids are equal with respect to price,  
162 quality and service, the Mississippi Industries for the Blind  
163 shall be given preference. A similar preference shall be given to  
164 the Mississippi Industries for the Blind whenever purchases are  
165 made without competitive bids.



166           **SECTION 14.** Of the funds appropriated in Section 1 of this  
167 act, One Million Dollars (\$1,000,000.00) is for the purpose of  
168 expenses related to cybersecurity and election integrity.

169           **SECTION 15.** The following sum, or so much thereof as may be  
170 necessary, is reappropriated out of any money in the State General  
171 Fund not otherwise appropriated for the Secretary of State for the  
172 purpose of reauthorizing the expenditure of State General Funds as  
173 authorized in SB 3049, 2023 Regular Session, to provide for  
174 disaster data recovery, publication and technology support, for  
175 the fiscal year beginning July 1, 2024, and ending  
176 June 30, 2025.....\$           460,000.00.

177           Notwithstanding the amount reappropriated under the  
178 provisions of this section, in no event shall the amount expended  
179 exceed the unexpended balance as of June 30, 2024.

180           **SECTION 16.** The following sum, or so much thereof as may be  
181 necessary, is reappropriated out of any money in the Capital  
182 Expense Fund not otherwise appropriated to the Secretary of State  
183 for the purpose of reauthorizing the expenditure of Capital  
184 Expense Funds, as authorized in SB 3049, 2023 Regular Session, to  
185 at the Secretary of State for the purpose of the Mississippi  
186 Voting Modernization Act, Section 23-15-533.2, Mississippi Code of  
187 1972, for the fiscal year beginning July 1, 2024, and ending  
188 June 30, 2025.....\$           1,200,000.00.

189           Notwithstanding the amount reappropriated under this section,  
190 the amount that may be expended under the authority of this





191 section shall not exceed the unexpended balance of the funds  
192 remaining as of June 30, 2024, from the amount authorized for the  
193 previous fiscal year. In addition, this reappropriation shall not  
194 change the purpose for which the funds were originally authorized.

195 **SECTION 17.** Of the funds appropriated under the provisions  
196 of Section 2 of this act, Eight Hundred Seventy-five Thousand  
197 Dollars (\$875,000.00), or so much as may be necessary, shall be  
198 derived out of any money in the State Treasury to the credit of  
199 the Capital Expense Fund, as created in Section 27-103-303,  
200 Mississippi Code of 1972, and allocated in a manner as determined  
201 by the State Treasurer. These funds are provided to the Secretary  
202 of State for the purpose of updates, enhancements, and maintenance  
203 to the Statewide Elections Management System.

204 **SECTION 18.** Of the funds appropriated in Section 2, Seven  
205 Million Thirty Thousand Sixty-seven Dollars (\$7,030,067.00) is  
206 provided for defraying expenses related to the Broadwater Marina  
207 Restoration Project.

208 **SECTION 19.** The money herein appropriated shall be paid by  
209 the State Treasurer out of any money in the State Treasury to the  
210 credit of the proper fund or funds as set forth in this act, upon  
211 warrants issued by the State Fiscal Officer; and the State Fiscal  
212 Officer shall issue his warrants upon requisitions signed by the  
213 proper person, officer or officers in the manner provided by law.

214 **SECTION 20.** This act shall take effect and be in force from  
215 and after July 1, 2024.

