

**House Amendments to Senate Bill No. 3048**

**TO THE SECRETARY OF THE SENATE:**

**THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:**

**AMENDMENT NO. 1**

**Amend by striking all after the enacting clause and inserting in lieu thereof the following:**

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.** It is the intention of the Legislature that the  
78 Office of the Secretary of State shall maintain complete  
79 accounting and personnel records related to the expenditure of all  
80 funds appropriated under this act and that such records shall be  
81 in the same format and level of detail as maintained for Fiscal  
82 Year 2024. It is further the intention of the Legislature that  
83 the agency's budget request for Fiscal Year 2026 shall be  
84 submitted to the Joint Legislative Budget Committee in a format  
85 and level of detail comparable to the format and level of detail  
86 provided during the Fiscal Year 2025 budget request process.

87 **SECTION 5.** None of the funds appropriated by this act shall  
88 be expended for any purpose that is not actually required or  
89 necessary for performing any of the powers or duties of the Office  
90 of the Secretary of State that are authorized by the Mississippi  
91 Constitution of 1890, state or federal law, or rules or  
92 regulations that implement state or federal law.

93 **SECTION 6.** No part of the funds appropriated herein shall be  
94 used, either directly or indirectly, for the purpose of paying any  
95 clerk, stenographer, assistant, deputy, or other person who may be  
96 related by blood or marriage within the third degree, computed by  
97 the rules of the civil law, to the official employing or having  
98 the right of employment or selection thereof; and in the event of

99 any such payment, then the official or person approving and making  
100 or receiving such payment shall be jointly and severally liable to  
101 return to the State of Mississippi and to pay into the State  
102 Treasury three (3) times any such amount so paid or received, to  
103 be recovered at suit of the Attorney General; provided that when  
104 the relationship is by affinity and the person through whom the  
105 relationship was established is dead, this provision shall not  
106 apply.

107 **SECTION 7.** Of the funds appropriated in Section 1 of this  
108 act, the Secretary of State may use funds appropriated for the  
109 purposes of defraying litigation expenses associated with the  
110 enforcement of the Mississippi Securities Act, the Regulation of  
111 Charitable Solicitations Act, and the administration of the Public  
112 Trust.

113 **SECTION 8.** In compliance with the "Mississippi Performance  
114 Budget and Strategic Planning Act of 1994," it is the intent of  
115 the Legislature that the funds provided herein shall be utilized  
116 in the most efficient and effective manner possible to achieve the  
117 intended mission of this agency. Based on the funding authorized,  
118 this agency shall make every effort to attain the targeted  
119 performance measures provided below:

	FY2025
<u>Performance Measures</u>	<u>Target</u>
Business Services	
Percent of Business Services Customer	
Phone Calls Answered	95.00

125	Elections	
126	Number of Poll Workers to Successfully	
127	Complete the Online Training Program	82
128	Number of Voter Registrations Updated on	
129	Secure Online Website	1,433
130	Percent of Poll Workers who Successfully	
131	Complete the Online Poll Manager	
132	Training on Their First Attempt	60.00
133	Publications	
134	Number of Visits to the Secretary of	
135	State's Website	9,000,000
136	Public Lands	
137	Number of Tax-Forfeited Properties Sold	2,000
138	Support Services	
139	Support Services as a Percent of Total	
140	Agency Expenditures	16.00

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

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

149 **SECTION 10.** Of the funds appropriated in Section 2 of this  
150 act, One Million Seven Hundred Fifty Thousand Dollars

151 (\$1,750,000.00), or so much thereof as may be necessary, is  
152 appropriated out of any money in the State Treasury to the credit  
153 of the Land Records Maintenance Fund, for the purpose of making  
154 distributions to local governments for taxes owed during the  
155 fiscal year.

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

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

171 **SECTION 13.** It is the intention of the Legislature that  
172 whenever two (2) or more bids are received by this agency for the  
173 purchase of commodities or equipment, and whenever all things  
174 stated in such received bids are equal with respect to price,  
175 quality and service, the Mississippi Industries for the Blind  
176 shall be given preference. A similar preference shall be given to

177 the Mississippi Industries for the Blind whenever purchases are  
178 made without competitive bids.

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

182         **SECTION 15.** The money herein appropriated shall be paid by  
183 the State Treasurer out of any money in the State Treasury to the  
184 credit of the proper fund or funds as set forth in this act, upon  
185 warrants issued by the State Fiscal Officer; and the State Fiscal  
186 Officer shall issue his warrants upon requisitions signed by the  
187 proper person, officer or officers in the manner provided by law.

188         **SECTION 16.** This act shall take effect and be in force from  
189 and after July 1, 2024, and shall stand repealed from and after  
190 June 29, 2024.

HR13\SB3048A.J

Andrew Ketchings  
Clerk of the House of Representatives