

**Adopted
AMENDMENT NO 1 PROPOSED TO**

Senate Bill No. 3048

BY: Committee

**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
Elections	
Number of Poll Workers to Successfully	
Complete the Online Training Program	82
Number of Voter Registrations Updated on	
Secure Online Website	1,433
Percent of Poll Workers who Successfully	
Complete the Online Poll Manager	
Training on Their First Attempt	60.00
Publications	
Number of Visits to the Secretary of	
State's Website	9,000,000
Public Lands	
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.

