

**Senate Amendments to House Bill No. 1794**

**TO THE CLERK OF THE HOUSE:**

**THIS IS TO INFORM YOU THAT THE SENATE 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 appropriated out of any money in the State General  
6 Fund not otherwise appropriated, to the Department of Child  
7 Protection Services for the fiscal year beginning July 1, 2024,  
8 and ending June 30, 2025.....\$ 131,484,228.00.

9           **SECTION 2.** The following sum, or so much thereof as may be  
10 necessary, is appropriated out of any money in any special fund in  
11 the State Treasury to the credit of the Department of Child  
12 Protection Services which is comprised of special source funds  
13 collected by or otherwise available to the department for the  
14 support of the various divisions of the department, for the  
15 purpose of defraying the expenses of the department for the fiscal  
16 year beginning July 1, 2024, and ending June 30, 2025.....  
17 .....\$ 166,522,374.00.

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

20           AUTHORIZED HEADCOUNT:

21 Permanent: 1,517

22 Time-Limited: 417

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

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

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

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

71         No general funds authorized to be expended herein shall be  
72 used to replace federal funds and/or other special funds used for

73 salaries authorized under the provisions of this act and which are  
74 withdrawn and no longer available.

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

79 **SECTION 4.** It is the intention of the Legislature that the  
80 Department of Child Protection Services shall maintain complete  
81 accounting and personnel records related to the expenditure of all  
82 funds appropriated under this act and that such records shall be  
83 in the same format and level of detail as maintained for Fiscal  
84 Year 2024. It is further the intention of the Legislature that  
85 the agency's budget request for Fiscal Year 2026 shall be  
86 submitted to the Joint Legislative Budget Committee in a format  
87 and level of detail comparable to the format and level of detail  
88 provided during the Fiscal Year 2025 budget request process.

89 **SECTION 5.** It is the intention of the Legislature that  
90 whenever two (2) or more bids are received by this agency for the  
91 purchase of commodities or equipment, and whenever all things  
92 stated in such received bids are equal with respect to price,  
93 quality and service, the Mississippi Industries for the Blind  
94 shall be given preference. A similar preference shall be given to  
95 the Mississippi Industries for the Blind whenever purchases are  
96 made without competitive bids.

97 **SECTION 6.** The Department of Child Protection Services is  
98 authorized to expend available funds on technology or equipment

99 upgrades or replacements when it will generate savings through  
100 efficiency or when the savings generated from such upgrades or  
101 replacements exceed expenditures thereof.

102       **SECTION 7.** Of the funds appropriated in Section 1, herein to  
103 the Department of Child Protection Services, it is the intention  
104 of the Legislature that Ninety-three Thousand Six Hundred One  
105 Dollars (\$93,601.00) shall be allocated to the Mississippi  
106 Children's Trust Fund supported from General Fund court  
107 assessments.

108       **SECTION 8.** Of the funds appropriated by this act, pursuant  
109 to Section 97-3-54.9, Mississippi Code of 1972, Two Hundred Fifty  
110 Thousand Dollars (\$250,000.00) is provided for maintaining a  
111 24-hour hotline that is to be manned at all times, and for a  
112 coordinator to work with the Department of Public Safety, and to  
113 contract with outside agencies or service providers to organize  
114 for the provision of specialized services, including counseling  
115 services and other appropriate care to children who have been  
116 victims of commercial and sexual exploitation or human  
117 trafficking.

118       **SECTION 9.** Of the funds appropriated in Section 1 and  
119 Section 2, an amount not to exceed Four Million Five Hundred  
120 Thousand Dollars (\$4,500,000.00) may be expended for the  
121 Department of Child Protection Services for Kinship Care Payments  
122 as authorized by Section 43-15-17, Mississippi Code of 1972.

123       **SECTION 10.** The following sum, or so much thereof as may be  
124 necessary, is reappropriated out of any money in the Capital

125 Expense Fund not otherwise appropriated for the Department of  
126 Child Protection Services for the purpose of reauthorizing the  
127 expenditure of Capital Expense Fund, as reappropriated in HB 1625,  
128 2023 Regular Session, for information technology system  
129 developments for the fiscal year beginning July 1, 2024, and  
130 ending June 30, 2025.....\$ 5,157,695.00.

131 Notwithstanding the amount reappropriated under this section,  
132 the amount that may be expended under the authority of this  
133 section, shall not exceed the unexpended balance of the funds  
134 remaining as of June 30, 2024, from the amount authorized for the  
135 previous fiscal year. In addition, this reappropriation shall not  
136 change the purpose for which the funds were originally authorized.

137 **SECTION 11.** Of the funds appropriated in Section 1, Eleven  
138 Million Eighty-six Thousand Two Hundred Thirty-nine Dollars  
139 (\$11,086,239.00) is appropriated to maintain the Adoption  
140 Assistance and Congregate Care Homes Maintenance Payments and One  
141 Million Two Hundred Fifty-Four Thousand Nine Hundred Ninety-nine  
142 Dollars (\$1,254,999.00) is provided to maintain the Foster Home  
143 Maintenance Payments. It is the intent of the Legislature that  
144 these funds be expended for said purpose.

145 **SECTION 12.** Notwithstanding any other provision, the  
146 Department of Child Protection Services shall have the authority  
147 to escalate its headcount for any additional operational needs  
148 related to Coronavirus State Fiscal Recovery Funds, upon approval  
149 of the Department of Finance and Administration and the State  
150 Personnel Board.

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

157           **SECTION 14.** This act shall take effect and be in force from  
158 and after July 1, 2024, and shall stand repealed June 29, 2024.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1           AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE  
2 DEPARTMENT OF CHILD PROTECTION SERVICES FOR THE FISCAL YEAR 2025.

SS15\HB1794A.J

Amanda White  
Secretary of the Senate