

**Senate Amendments to House Bill No. 1797**

**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 Human  
7 Services for the fiscal year beginning July 1, 2024, and ending  
8 June 30, 2025.....\$       75,956,688.00.

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 Human  
12 Services which is comprised of special source funds collected by  
13 or otherwise available to the department for the support of the  
14 various divisions of the department, for the purpose of defraying  
15 the expenses of the department for the fiscal year beginning  
16 July 1, 2024, and ending June 30, 2025.....\$ 1,738,701,848.00.

17           **SECTION 3.** None of the funds appropriated by this act shall  
18 be expended for any purpose that is not actually required or  
19 necessary for performing any of the powers or duties of the  
20 Department of Human Services that are authorized by the

21 Mississippi Constitution of 1890, state or federal law, or rules  
22 or regulations that implement state or federal law.

23 **SECTION 4.** With the funds appropriated in this act, the  
24 following positions are authorized:

25 AUTHORIZED HEADCOUNT:

26	Permanent:	Full Time.....	1,296
27	Time-Limited:	Full Time.....	455

28 With the funds herein appropriated, it shall be the agency's  
29 responsibility to make certain that funds required for Personal  
30 Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds  
31 appropriated for that purpose unless programs or positions are  
32 added to the agency's Fiscal Year 2025 budget by the Mississippi  
33 Legislature. The Legislature shall determine the agency's personal  
34 services appropriation, which the State Personnel Board shall  
35 publish. In accordance with applicable laws, if an agency  
36 determines that its personal services amount is insufficient, the  
37 agency must contact the State Personnel Board. Any adjustment to  
38 the personal services amount must be approved by the State  
39 Personnel Director and the State Fiscal Officer after consultation  
40 with the Legislative Budget Office. Any adjustment shall be  
41 reported to the Legislative Budget Office and the House and Senate  
42 Appropriations Chairmen. The agency's personal services  
43 appropriation may consist of restricted funds for approved  
44 vacancies for Fiscal Year 2025 that may not be utilized for active  
45 Fiscal Year 2024 headcount. It shall be the agency's  
46 responsibility to ensure that the funds provided for vacancies are

47 used to increase headcount and not for promotions, title changes,  
48 in-range salary adjustments, or any other mechanism for increasing  
49 salaries for current employees. If the State Personnel Board  
50 determines that an agency has used provided vacancy funds for any  
51 of the mechanisms previously listed, the State Personnel Board  
52 shall not process any additional salary actions for the agency in  
53 the current fiscal year, except for new hires determined by the  
54 State Personnel Board to be essential for the agency. It is the  
55 Legislature's intention that no employee salary falls below the  
56 minimum salary established by the Mississippi State Personnel  
57 Board.

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

67         Any transfers or escalations shall be made in accordance with  
68 the terms, conditions, and procedures established by law or  
69 allowable under the terms set forth within this act. The State  
70 Personnel Board shall not escalate positions without written  
71 approval from the Department of Finance and Administration. The  
72 Department of Finance and Administration shall not provide written

73 approval to escalate any funds for salaries and/or positions  
74 without proof of availability of new or additional funds above the  
75 appropriated level.

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

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

84 **SECTION 5.** It is the intention of the Legislature that the  
85 Department of Human Services shall maintain complete accounting  
86 and personnel records related to the expenditure of all funds  
87 appropriated under this act and that such records shall be in the  
88 same format and level of detail as maintained for Fiscal Year  
89 2024. It is further the intention of the Legislature that the  
90 agency's budget request for Fiscal Year 2026 shall be submitted to  
91 the Joint Legislative Budget Committee in a format and level of  
92 detail comparable to the format and level of detail provided  
93 during the Fiscal Year 2025 budget request process.

94 **SECTION 6.** Of the funds appropriated in Section 2 herein to  
95 the Department of Human Services, One Million Dollars  
96 (\$1,000,000.00) shall be transferred to the Department of Health,  
97 Child Care Licensure Program from the Child Care Development Fund  
98 or other appropriate special fund. These funds are to be

99 transferred to the Board of Health no later than July 31, 2024.  
100 The Department of Health shall make a complete accounting to the  
101 Department of Human Services detailing the uses of these funds in  
102 accordance with federal and state regulations.

103 **SECTION 7.** It is the intention of the Legislature that  
104 whenever two (2) or more bids are received by this agency for the  
105 purchase of commodities or equipment, and whenever all things  
106 stated in such received bids are equal with respect to price,  
107 quality and service, the Mississippi Industries for the Blind  
108 shall be given preference. A similar preference shall be given to  
109 the Mississippi Industries for the Blind whenever purchases are  
110 made without competitive bids.

111 **SECTION 8.** The Department of Human Services is authorized to  
112 expend available funds on technology or equipment upgrades or  
113 replacements when it will generate savings through efficiency or  
114 when the savings generated from such upgrades or replacements  
115 exceed expenditures thereof.

116 **SECTION 9.** It is the intention of the Legislature that none  
117 of the funds provided herein shall be used to pay certain  
118 utilities for state furnished housing for any employees. Such  
119 utilities shall include electricity, natural gas, butane, propane,  
120 cable and phone services. Where actual cost cannot be determined,  
121 the agency shall be required to provide meters to be in compliance  
122 with legislative intent. Such state furnished housing shall  
123 include single-family and multi-family residences but shall not

124 include any dormitory residences. Allowances for such utilities  
125 shall be prohibited.

126 **SECTION 10.** In compliance with the "Mississippi Performance  
127 Budget and Strategic Planning Act of 1994," it is the intent of  
128 the Legislature that the funds provided herein shall be utilized  
129 in the most efficient and effective manner possible to achieve the  
130 intended mission of this agency. Based on the funding authorized,  
131 this agency shall make every effort to attain the targeted  
132 performance measures provided below:

	FY2025
<u>Performance Measures</u>	<u>Target</u>
Support Services	
Percent of Referred/Directed	
Investigative Audits Conducted	100.00
Percent of Special Investigations Conducted	95.00
Percent of Referred/Obtained Fraud	
Investigations Conducted Timely	100.00
Percent of Referred Administrative	
Disqualification Hearings & Fair	
Hearings Conducted Timely	99.00
Percent of Monitoring Reviews Conducted	
within Acceptable Timeframes	98.00
Total Amount of Funds Recovered	3,500,000.00
Aging & Adult Services	
In-Home Services - Age 60 + (Persons Served)	32,680
Community Services - Age 60 + (Persons	

150	Served)	193,617
151	Number of Congregate Meals	468,272
152	Number of Home Delivered Meals	2,700,000
153	Substantiated Incidences of Abuse of	
154	Vulnerable Adults per 1,000 Population	0.17
155	Home Delivered Meals, Percent Reduction	
156	of Persons on Waiting list	5.00
157	Child Support Enforcement	
158	Number of Paternities Established	15,500
159	Percent Change in Paternities Established	3.30
160	Number of Obligations Established	16,000
161	Percent Change in Obligations Established	12.50
162	Total Collections (\$)	378,000,000.00
163	Percent Change in Total Collections	-2.50
164	Number of Absent Parents Located	68,000
165	Percent of Child Support Cases Current	
166	on Payments	-2.53
167	Community Services	
168	Number of Elderly Served by CSBG & LIHEAP	20,352
169	Number of Disabled Served CSBG/LIHEAP	26,762
170	Number of Households Achieving	
171	Self-Sufficiency CSBG/LIHEAP	0
172	Percent Increase in Rate of Households	
173	Attaining Self-Sufficiency	0.00
174	Number of Households Stabilized CSBG/LIHEAP	0
175	Percent Increase in the Number of	

176	Households Stabilized	0.00
177	Number of Households Weatherized	516
178	Early Childhood Care & Dev	
179	Number of Children Served	30,138
180	Assistance Payments	
181	Dollar Amount of Assistance	6,240,877.00
182	Food Assistance	
183	Number of Average Monthly Households	225,000
184	Supplement Nutrition Assistance Program	
185	- SNAP (\$)	716,413,100.00
186	Percent of Mississippi Households	
187	Receiving SNAP Benefits	22.51
188	Tanf Work Program	
189	Number of Average Monthly TANF Households	8,864
190	Number of Average Monthly Persons Served	
191	in TANF Work Program	1,107
192	TANF Work Program Participation Rate (%)	60.00
193	Number of Persons Employed Through the	
194	TANF Work Program for the Year	832
195	Number of Households Receiving TANF	
196	Benefits During the Year	9,969
197	Percent of Households Receiving TANF	
198	During the Year	49.00
199	Percent of TANF Participants in Job Trng	
200	Who Enter Employment	30.00
201	Percent of TANF Participants in Job	



202	Training Who Enter Employment at A	
203	Salary Sufficient to Be Ineligible for	
204	TANF	19.00
205	Percent of TANF Participants in Job	
206	Training Who Remain Employed For: One	
207	Year After Leaving the Program	75.00
208	Percent of TANF Participants in Job	
209	Training Who Remain Employed For: Five	
210	Years After Leaving the Program	65.00
211	Social Services Block Grant	
212	Number of Clients Served, Division of	
213	Family & Children's Services	75,611
214	Number of Clients Served, Aging & Adult	
215	Services	21,178
216	Number of Clients Served, Youth Services	12,880
217	Youth Services	
218	Community Services (Children Served)	15,000
219	Institutional Component (Children Served)	300
220	Number of Volunteers - Community	
221	Services/Institution	0
222	Number of Children Placed in Alternative	
223	Placement	0
224	Percent of Children Diverted from	
225	Institutional Care	95.00
226	Recidivism Rate (%)	20.00

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

231           **SECTION 11.** It is the intent of the Legislature that the  
232 Department of Human Services, Division of Child Support  
233 Enforcement, make a concentrated effort to increase collections of  
234 past due child support payments. On or before January 1, 2025,  
235 the Executive Director of the Department of Human Services shall  
236 submit a report to the Legislative Budget Office detailing  
237 year-to-date performance measures in the Child Support Enforcement  
238 Program compared with the prior year.

239           **SECTION 12.** It is the intention of the Legislature that the  
240 Department of Human Services shall have the authority to spend  
241 such additional funds as it shall receive from the federal  
242 government in incentives or the federal match on those incentives  
243 for the purpose of child support enforcement.

244           **SECTION 13.** Of the funds appropriated in Section 1, Two  
245 Hundred Fifty Thousand Dollars (\$250,000.00) shall be transferred  
246 to the Juvenile Facility Monitoring Unit at the Department of  
247 Public Safety no later than July 31, 2024.

248           **SECTION 14.** Of the funds appropriated herein, to the  
249 Department of Human Services One Million Dollars (\$1,000,000.00),  
250 is provided for the support of the Home Delivered Meals Program  
251 and any additional funds that may be appropriated to this program.

252           **SECTION 15.** Of the funds provided in Section 1, herein to  
253 the Department of Human Services, an amount not to exceed One  
254 Hundred Thousand Dollars (\$100,000.00) is provided to fund the  
255 Senior Olympics Program.

256           **SECTION 16.** It is the intention of the Legislature that the  
257 Governor's Office, Division of Medicaid and the Department of  
258 Human Services shall continue to work together to implement  
259 Section 43-12-1, Mississippi Code of 1972, known as the "Medicaid  
260 and Human Services Transparency and Fraud Prevention Act".

261           **SECTION 17.** As a condition of receiving and expending any  
262 funds appropriated under this act, the Department of Human  
263 Services:

264           (a) Shall use a competitive procurement process for entering  
265 into all TANF subgrant agreements with non-state entities when the  
266 federal government does not direct to whom the funds must be  
267 subgranted;

268           (b) Upon awarding of a grant to any subgrantee of the  
269 department, shall require the subgrantee to submit a monthly  
270 report to the department that contains, but is not limited to, all  
271 of the following:

272                   (i) A listing of all costs incurred by the subgrantee  
273 during the previous month;

274                   (ii) A listing of all clients served by the subgrantee,  
275 with an explanation of which services were provided to the  
276 clients;

277 (iii) A listing of all lower-tier subgrantees, who must  
278 be approved by the department before the execution of any such  
279 agreement by the prime subgrantee; and

280 (iv) Any other data required by the department to  
281 provide sufficient evidence of budgetary compliance;

282 (c) Shall not advance funds to a subgrantee for more than  
283 sixty (60) days; and

284 (d) Shall reimburse a subgrantee for expenses only after the  
285 required documentation is provided and is approved by the  
286 department.

287 **SECTION 18.** It is the intent of the Legislature, that within  
288 the funds available, the Department of Human Services may provide  
289 any qualifying grants of CARES Act or American Rescue Act funding  
290 in an amount not to exceed One Million Five Hundred Thousand  
291 Dollars (\$1,500,000.00) to the three (3) regional food banks that  
292 serve Mississippi, including Feed the Gulf Coast, Mid-South Food  
293 Bank, and Mississippi Food Network.

294 **SECTION 19.** The following sum, or so much thereof as may be  
295 necessary, is reappropriated out of any money in the Capital  
296 Expense Fund not otherwise appropriated for the Department of  
297 Human Services for the purpose of reauthorizing the expenditure of  
298 Capital Expense Funds, as authorized in HB 1622, 2023 Regular  
299 Session to defray expenses of the Department of Human Services for  
300 the fiscal year beginning July 1, 2024, and ending  
301 June 30, 2025.....\$ 58,327,806.00.

302 This appropriation is made for the purpose of reauthorizing  
303 the expenditure of funds as allocated herein:

304 (a) To defray the Department's computer  
305 expenses.....\$ 4,327,806.00.

306 (b) To secure federal funding for a new  
307 computer system.....\$ 54,000,000.00.

308 Notwithstanding the amount reappropriated under this section,  
309 the amount that may be expended under the authority of this  
310 section, shall not exceed the unexpended balance of the funds  
311 remaining as of June 30, 2024, from the amount authorized for the  
312 previous fiscal year. In addition, this reappropriation shall not  
313 change the purpose for which the funds were originally authorized.

314 **SECTION 20.** Of the funds appropriated herein, no more than  
315 Three Thousand Six Hundred Fifty-two Dollars (\$3,652.00) may be  
316 used to pay invoices to certain vendors for expenses incurred in  
317 FY 2022.

318 **SECTION 21.** The money herein appropriated shall be paid by  
319 the State Treasurer out of any money in the State Treasury to the  
320 credit of the proper fund or funds as set forth in this act, upon  
321 warrants issued by the State Fiscal Officer; and the State Fiscal  
322 Officer shall issue his warrants upon requisitions signed by the  
323 proper person, officer or officers, in the manner provided by law.

324 **SECTION 22.** This act shall take effect and be in force from  
325 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 HUMAN SERVICES FOR THE FISCAL YEAR 2025.

SS15\HB1797A.J

Amanda White  
Secretary of the Senate