

**Senate Amendments to House Bill No. 1802**

**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:**

6           **SECTION 1.** The following sum, or so much thereof as may be  
7 necessary, is appropriated out of any money in the State Treasury  
8 to the credit of the Mississippi State Board of Nursing Home  
9 Administrators for the purpose of defraying the expenses of the  
10 board for the fiscal year beginning July 1, 2024, and ending  
11 June 30, 2025 .....\$                   205,994.00.

12           **SECTION 2.** With the funds appropriated under the provisions  
13 of Section 1, the following positions are authorized:

14       AUTHORIZED HEADCOUNT:  
15           Permanent:                   2  
16           Time-Limited:               0

17           With the funds herein appropriated, it shall be the agency's  
18 responsibility to make certain that funds required for Personal  
19 Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds  
20 appropriated for that purpose unless programs or positions are  
21 added to the agency's Fiscal Year 2025 budget by the Mississippi  
22 Legislature. The Legislature shall determine the agency's personal

23 services appropriation, which the State Personnel Board shall  
24 publish. In accordance with applicable laws, if an agency  
25 determines that its personal services amount is insufficient, the  
26 agency must contact the State Personnel Board. Any adjustment to  
27 the personal services amount must be approved by the State  
28 Personnel Director and the State Fiscal Officer after consultation  
29 with the Legislative Budget Office. Any adjustment shall be  
30 reported to the Legislative Budget Office and the House and Senate  
31 Appropriations Chairmen. The agency's personal services  
32 appropriation may consist of restricted funds for approved  
33 vacancies for Fiscal Year 2025 that may not be utilized for active  
34 Fiscal Year 2024 headcount. It shall be the agency's  
35 responsibility to ensure that the funds provided for vacancies are  
36 used to increase headcount and not for promotions, title changes,  
37 in-range salary adjustments, or any other mechanism for increasing  
38 salaries for current employees. If the State Personnel Board  
39 determines that an agency has used provided vacancy funds for any  
40 of the mechanisms previously listed, the State Personnel Board  
41 shall not process any additional salary actions for the agency in  
42 the current fiscal year, except for new hires determined by the  
43 State Personnel Board to be essential for the agency. It is the  
44 Legislature's intention that no employee salary falls below the  
45 minimum salary established by the Mississippi State Personnel  
46 Board.

47       Additionally, the State Personnel Board shall determine and  
48 publish the projected annualized payroll costs based on current

49 employees. It shall be the responsibility of the agency head to  
50 ensure that actual personnel expenditures for Fiscal Year 2025 do  
51 not exceed the data provided by the Legislative Budget Office. If  
52 the agency's projected cost for Fiscal Year 2025 exceeds the  
53 annualized costs, no salary actions shall be processed by the  
54 State Personnel Board except for new hires determined to be  
55 essential for the agency.

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

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

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

73 **SECTION 3.** It is the intention of the Legislature that the  
74 Mississippi State Board of Nursing Home Administrators shall

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

84         **SECTION 4.** It is the intention of the Legislature that the  
85 Mississippi State Board of Nursing Home Administrators deposit all  
86 revenue generated into a special fund in the State Treasury to the  
87 credit of the Mississippi State Board of Nursing Home  
88 Administrators and that all interest earned or deposited to the  
89 fund shall remain in the fund and not be paid into the State  
90 General Fund of Mississippi.

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

99         **SECTION 6.** It is the intention of the Legislature that the  
100 funds herein appropriated shall be expended in compliance with

101 Section 27-104-25, Mississippi Code of 1972, that no state agency  
102 shall incur obligations or indebtedness in excess of their  
103 appropriation and that the responsible officers, either personally  
104 or upon their official bonds, shall be held responsible for  
105 actions contrary to this provision.

106         **SECTION 7.** The money herein appropriated shall be paid by  
107 the State Treasurer out of any money in the State Treasury to the  
108 credit of the proper fund or funds as set forth in this act, upon  
109 warrants issued by the State Fiscal Officer; and the State Fiscal  
110 Officer shall issue his warrants upon requisitions signed by the  
111 proper person, officer or officers, in the manner provided by law.

112         **SECTION 8.** This act shall take effect and be in force from  
113 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 FROM SPECIAL FUNDS IN THE  
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE  
3 MISSISSIPPI STATE BOARD OF NURSING HOME ADMINISTRATORS FOR THE  
4 FISCAL YEAR 2025.

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Amanda White  
Secretary of the Senate