

House Amendments to Senate Bill No. 3037

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:

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is hereby appropriated out of any money in the State
7 General Fund not otherwise appropriated for the purpose of
8 defraying the expenses of the Mississippi Department of
9 Information Technology Services, for the fiscal year beginning
10 July 1, 2025, and ending June 30, 2026.....\$ 26,533,674.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is hereby appropriated out of any money in the special
13 fund in the State Treasury to the credit of the Mississippi
14 Department of Information Technology Services which are collected
15 by or otherwise become available for the purpose of defraying
16 expenses of the Mississippi Department of Information Technology
17 Services as established in Section 27-104-203, Mississippi Code of
18 1972, for the fiscal year beginning July 1, 2025, and ending
19 June 30, 2026.....\$ 21,487,878.00.

20 The funds in this section are provided to defray the costs
21 incurred by the Department of Information Technology Services for

providing telecommunication services, data center services, and/or other information technology services to state agencies.

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

AUTHORIZED HEADCOUNT:

Permanent: 132

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2027 do not exceed Fiscal Year 2026 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2026 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2026 that may be utilized to fill vacant Fiscal Year 2025 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

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

employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2026 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2026 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that the Executive

74 Director of Information Technology Services (ITS) shall have
75 authority to transfer an amount not to exceed Seven Hundred Fifty
76 Thousand Dollars (\$750,000.00) to the ITS Revolving Fund
77 (3360900000). The purpose of this authority is to provide
78 operating cash to alleviate cash flow problems in the ITS
79 Revolving Fund. Any funds transferred during the fiscal year
80 shall be transferred back to the State General Fund before the end
81 of the lapse period for the fiscal year.

82 **SECTION 5.** In addition to all other funds appropriated
83 herein, the following sum, or so much thereof as may be necessary,
84 is appropriated out of any money in the State General Fund, not
85 otherwise appropriated, for the purpose of defraying the expenses
86 of the Wireless Communication Commission for the fiscal year
87 beginning July 1, 2025, and ending June 30, 2026.....
88\$ 11,921,557.00.

89 The Wireless Communication Commission shall follow all state
90 procurement and bid laws for all contracts and consultants.

91 **SECTION 6.** Of the funds appropriated under the provisions of
92 this act, the following positions are authorized:

93 AUTHORIZED HEADCOUNT:

94 Permanent: 9

95 Time-Limited: 0

96 With the funds herein appropriated, it shall be the agency's
97 responsibility to make certain that funds required for Personal
98 Services for Fiscal Year 2027 do not exceed Fiscal Year 2026 funds
99 appropriated for that purpose unless programs or positions are

100 added to the agency's Fiscal Year 2026 budget by the Mississippi
101 Legislature. The Legislature shall determine the agency's
102 personal services appropriation, which the State Personnel Board
103 shall publish. The agency's personal services appropriation may
104 consist of restricted funds for approved vacancies for Fiscal Year
105 2026 that may be utilized to fill vacant Fiscal Year 2025
106 headcount. It shall be the agency's responsibility to ensure that
107 the funds provided for vacancies are used to increase headcount
108 and not for promotions, title changes, in-range salary adjustments
109 or any other mechanism for increasing salaries for current
110 employees. It is the Legislature's intention that no employee
111 salary falls below the minimum salary established by the
112 Mississippi State Personnel Board.

113 Additionally, the State Personnel Board shall determine and
114 publish the projected annualized payroll costs based on current
115 employees. It shall be the responsibility of the agency head to
116 ensure that actual personnel expenditures for Fiscal Year 2026 do
117 not exceed the data provided by the Legislative Budget Office. If
118 the agency's Fiscal Year 2026 projected cost exceeds the
119 annualized costs, no salary actions shall be processed by the
120 State Personnel Board except for new hires determined to be
121 essential for the agency.

122 Any transfers or escalations shall be made in accordance with
123 the terms, conditions, and procedures established by law or
124 allowable under the terms set forth within this act. The State
125 Personnel Board shall not escalate positions without written

approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

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

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

SECTION 7. It is the intention of the Legislature that none of the funds appropriated under the provisions of this act for the Wireless Communication Commission (WCC) shall be expended for the purpose of making a payment of any kind or for any purpose, directly or indirectly, to a member of the State of Mississippi Legislature, state official, WCC member, or person who has been a member of the WCC within the last year.

SECTION 8. It is the intention of the Legislature that the Department of Information Technology Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2025. It is further the

intention of the Legislature that the budget request for Fiscal Year 2027 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2026 budget request process.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Mississippi Department of Information Technology Services for upgrades, maintenance, and refresh of the Statewide Payroll and Human Resource System (SPAHRs) as authorized in Senate Bill No. 3042,

178 2024 Regular Session, for the fiscal year beginning July 1, 2025,
179 and ending June 30, 2026.....\$ 1,500,000.00.

180 Notwithstanding the amount reappropriated under this section,
181 the amount that may be expended under the authority of this
182 section shall not exceed the unexpended balance of the funds
183 remaining as of June 30, 2025, from the amount authorized for the
184 previous fiscal year. In addition, this reappropriation shall not
185 change the purpose for which the funds were originally authorized.

186 **SECTION 12.** The money herein appropriated shall be paid by
187 the State Treasurer out of any money in the State Treasury to the
188 credit of the proper fund or funds as set forth in this act, upon
189 warrants issued by the State Fiscal Officer; and the State Fiscal
190 Officer shall issue his warrants upon requisitions signed by the
191 proper person, officer or officers, in the manner provided by law.

192 **SECTION 13.** This act shall take effect and be in force from
193 and after July 1, 2025.

HR13\SB3037A.J

Andrew Ketchings
Clerk of the House of Representatives