

House Amendments to Senate Bill No. 3041

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:

12 **SECTION 1.** The following sum, or so much thereof as may be
13 necessary, is hereby appropriated out of any money in the State
14 General Fund not otherwise appropriated, for the purpose of
15 defraying the expenses of the Mississippi Department of Revenue,
16 including the Homestead Exemption Division, the Motor Vehicle
17 Comptroller functions, the Alcoholic Beverage Control Division
18 Liquor Distribution Center, and The Enforcement Division for the
19 fiscal year beginning July 1, 2025, and ending June 30, 2026.....
20\$ 55,781,065.00.

21 **SECTION 2.** The following sum, or so much thereof as may be
22 necessary, is hereby appropriated out of any money in the special
23 fund in the State Treasury to the credit of the Mississippi
24 Department of Revenue which are collected by or otherwise become
25 available for the purpose of defraying the expenses of the
26 department for the fiscal year beginning July 1, 2025, and ending
27 June 30, 2026.....\$ 22,273,329.00.

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

30 AUTHORIZED HEADCOUNT:

31 Permanent: 612

32 Time-Limited: 0

33 With the funds herein appropriated, it shall be the agency's
34 responsibility to make certain that funds required for Personal
35 Services for Fiscal Year 2027 do not exceed Fiscal Year 2026 funds
36 appropriated for that purpose unless programs or positions are
37 added to the agency's Fiscal Year 2026 budget by the Mississippi
38 Legislature. The Legislature shall determine the agency's
39 personal services appropriation, which the State Personnel Board
40 shall publish. The agency's personal services appropriation may
41 consist of restricted funds for approved vacancies for Fiscal Year
42 2026 that may be utilized to fill vacant Fiscal Year 2025
43 headcount. It shall be the agency's responsibility to ensure that
44 the funds provided for vacancies are used to increase headcount
45 and not for promotions, title changes, in-range salary adjustments
46 or any other mechanism for increasing salaries for current
47 employees. It is the Legislature's intention that no employee
48 salary falls below the minimum salary established by the
49 Mississippi State Personnel Board.

50 Additionally, the State Personnel Board shall determine and
51 publish the projected annualized payroll costs based on current
52 employees. It shall be the responsibility of the agency head to
53 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. It shall be the duty of the Commissioner of the Mississippi Department of Revenue, and he is hereby empowered to select in the manner provided by Section 27-3-13, Mississippi Code of 1972, such employees as may be necessary to the administration

80 of all acts relating to the exemption of homesteads and the
81 reimbursement of tax losses to the several taxing units of the
82 state, and to assign them to the use of the Mississippi Department
83 of Revenue.

84 **SECTION 5.** The money herein appropriated may be used for any
85 expenses which the commission may legally incur. Provided,
86 however, that no part of the money herein appropriated shall be
87 used for the payment of attorney's fees, except upon
88 recommendation of the Governor with the approval of the Attorney
89 General, nor shall any of said funds be used either directly or
90 indirectly for the purpose of paying any clerk, stenographer,
91 assistant, deputy or other employee who may be related by blood or
92 marriage within the third degree, computed by the rule of civil
93 law, to the official employing or having the right of employment
94 or selection thereof, except that when the relationship is by
95 affinity and the person is dead through whom the relationship was
96 established, this rule shall not apply. In the event of any such
97 payment, then the official or person approving and making such
98 payment shall be liable to return to the State of Mississippi and
99 to pay into the State Treasury to the credit of the General Fund
100 three (3) times any such amount so paid to be recovered at suit by
101 the Attorney General.

102 **SECTION 6.** In compliance with the "Mississippi Performance
103 Budget and Strategic Planning Act of 1994," it is the intent of
104 the Legislature that the funds provided herein shall be utilized
105 in the most efficient and effective manner possible to achieve the

106 intended mission of this agency. Based on the funding authorized,
107 this agency shall make every effort to attain the targeted
108 performance measures provided below:

109		FY2026
110	<u>Performance Measures</u>	<u>Target</u>
111	Tax Administration	
112	Cost per Unit of Work (Item/Case/Call)	17.70
113	Cost per Call Center Call Answered	5.76
114	Audit	
115	Cost per Audit	1,730.26
116	Tax Production per Audit	10,000
117	Tax Enforcement	
118	Cost per Dollar Collected in Recovery	
119	Actions	0.05
120	General Administration	
121	Average Cost per Return Processed	5.63
122	ROI - Revenue Collected per Dollar of	
123	Expense	137.99
124	Property & Motor Vehicle Services	
125	Cost per Homestead Exemption Application	3.71
126	Cost per Title Issued	2.95
127	Abc Liquor Distribution Center	
128	Cost per Case Shipped	3.33
129	ROI - GF Dollars Returned per Dollar of Cost	8.78
130	Enforcement	
131	Number of Permits-Alcohol	2,500

132	Number of Permits-Medical Cannabis	200
133	Number of Violations-Medical Cannabis	130
134	Average Number of Days to Issue	
135	Permit-Alcohol	15
136	Average Number of Days to Issue	
137	Permit-Medical Cannabis	20
138	Enforcement and Permitting Cost-Alcohol	1,113.39
139	Enforcement and Permitting Cost-Medical	
140	Cannabis	6,500.00
141	Percent Of Medical Cannabis Permits	
142	Receiving Administrative Action	5.00
143	Percent of Medical Cannabis Permits	
144	Receiving Criminal Action	5.00
145	Percent of Medical Cannabis Permits	
146	Inspected	100.00
147	Percent of Permit Applications	
148	Approved-Medical Cannabis	90.00

149 A reporting of the degree to which the performance targets
150 set above have been or are being achieved shall be provided in the
151 agency's budget request submitted to the Joint Legislative Budget
152 Committee for Fiscal Year 2027.

153 **SECTION 7.** In addition to all other sums herein
154 appropriated, the following sum, or so much thereof as may be
155 necessary, is hereby appropriated out of any money in the State
156 General Fund not otherwise appropriated, to the Mississippi
157 Department of Revenue for the purpose of reimbursing the counties

of the state, the road districts and school districts therein and the municipal separate school districts, for tax losses incurred by reason of the exemption of homes from certain ad valorem taxes under the provisions of Section 27-33-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2025, and ending June 30, 2026.....\$ 94,000,000.00.

SECTION 8. Each county, road district, school district and municipal separate school district which has incurred a tax loss that is reimbursable under Section 7 of this act shall be reimbursed a sum which is equivalent to the amount of tax loss produced by the application of tax rates annually fixed for maintenance and current expenses to the assessed value of homes, or so much thereof as has been lawfully authorized under the provisions of Section 27-33-1 et seq., Mississippi Code of 1972.

The disbursements from the funds appropriated under the provisions of Section 7 of this act shall be based upon the certificates required of the clerks of the county boards of supervisors and of the clerks of the municipalities, which certificates shall conform strictly in every respect to the requirements of the provisions of Section 27-33-1 et seq., Mississippi Code of 1972.

All disbursements from the funds appropriated under the provisions of Section 7 of this act shall be made strictly in accordance with the provisions of Section 27-33-1 et seq., Mississippi Code of 1972, and no disbursements other than those

clearly authorized by those sections shall be made, the provisions of any other law to the contrary notwithstanding.

SECTION 9. None of the funds appropriated under the provisions of Section 7 of this act may be distributed to any county, municipality, school district or other taxing district in which the assessed valuation of the taxing district has increased as a result of reappraisal of the property of the taxing district unless the governing board of the taxing district has published a notice in a newspaper having a general circulation in the taxing district, stating the lower millage rate that would produce the same amount of revenue from ad valorem taxation on property of the taxing district that was produced in the fiscal year before the property of the taxing district was reappraised.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Department of Revenue - License Tag Commission from any other special source funds made available to the License Tag Commission, for the fiscal year beginning July 1, 2025, and ending June 30, 2026.....
.....\$ 6,000,000.00.

SECTION 11. None of the funds appropriated in Section 10 of this act shall be expended to purchase motor vehicle license tags made or manufactured by any department, agency or instrumentality of a state other than the State of Mississippi. None of the funds appropriated in this section shall be used for the purchase of

bolts, nuts or other fastening devices for attaching said motor vehicle license tags. Provided further, that all motor vehicles belonging to any state department, agency, commission, institution or any other division of state government shall have license tags which shall bear the words "Government" at the bottom of such license tags.

SECTION 12. 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 13. It is the intention of the Legislature that the Mississippi Department of Revenue shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2025. It is further the intention of the Legislature that the agency's 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 14. Of the funds appropriated in this act, it is the intention of the Legislature that up to Eight Hundred Eleven

235 Thousand Seven Hundred Forty Dollars (\$811,740.00) shall be
236 allocated as follows: to the Municipal Court Collections Program
237 Four Hundred Five Thousand Eight Hundred Seventy Dollars
238 (\$405,870.00) and to the Justice Court Collections Program Four
239 Hundred Five Thousand Eight Hundred Seventy Dollars (\$405,870.00)
240 to be supported from General Fund court assessments.

241 **SECTION 15.** It is the intention of the Legislature that the
242 funds herein appropriated shall be expended in compliance with
243 Section 27-104-25, Mississippi Code of 1972, that no state agency
244 shall incur obligations or indebtedness in excess of their
245 appropriation and that the responsible officers, either personally
246 or upon their official bonds, shall be held responsible for
247 actions contrary to this provision.

248 **SECTION 16.** The following sum, or so much thereof as may be
249 necessary, is reappropriated out of any money in the Capital
250 Expense Fund not otherwise appropriated for the Department of
251 Revenue for the purpose of reauthorizing the expenditure of
252 Capital Expense Funds, to defray the expenses of the Department of
253 Revenue, as authorized in SB 3047, 2024 Regular Session for the
254 fiscal year beginning July 1, 2025, and ending June 30, 2026.....
255\$ 1,279,971.00.

256 This appropriation is made for the purpose of reauthorizing
257 the expenditure of funds as allocated herein:

258 (a) IT Infrastructure, Facility Repairs, and Equipment.....
259\$ 362,000.00.

(b) Provisions pursuant to Section 67-1-205(2), Mississippi Code of 1972, related to contracting with a third-party entity to operate the Alcohol Beverage Control Liquor Distribution Center

(c) Computer hardware and Equipment.....\$ 653,000.00.

(d) Data storage and Firewall Protection...\$ 119,971.00.

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

SECTION 17. With the funds herein appropriated, the Mississippi Department of Revenue is authorized to make payments for expenses incurred during prior fiscal years for an amount not to exceed One Hundred Twenty-nine Dollars (\$129.00).

SECTION 18. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 19. This act shall take effect and be in force from and after July 1, 2025.

Andrew Ketchings
Clerk of the House of Representatives