

## Senate Amendments to House Bill No. 1739

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, 2025,  
8 and ending June 30, 2026.....\$   134,949,321.00.

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, 2025, and ending June 30, 2026.....  
17 .....\$           177,475,053.00.

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

20       AUTHORIZED HEADCOUNT:

21           Permanent:           1,501

22           Time-Limited:       412

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 2027 do not exceed Fiscal Year 2026 funds  
26 appropriated for that purpose unless programs or positions are  
27 added to the agency's Fiscal Year 2026 budget by the Mississippi  
28 Legislature. The Legislature shall determine the agency's  
29 personal services appropriation, which the State Personnel Board  
30 shall publish. The agency's personal services appropriation may  
31 consist of restricted funds for approved vacancies for Fiscal Year  
32 2026 that may be utilized to fill vacant Fiscal Year 2025  
33 headcount. It shall be the agency's responsibility to ensure that  
34 the funds provided for vacancies are used to increase headcount  
35 and not for promotions, title changes, in-range salary adjustments  
36 or any other mechanism for increasing salaries for current  
37 employees. It is the Legislature's intention that no employee  
38 salary falls below the minimum salary established by the  
39 Mississippi State Personnel Board.

40           Additionally, the State Personnel Board shall determine and  
41 publish the projected annualized payroll costs based on current  
42 employees. It shall be the responsibility of the agency head to  
43 ensure that actual personnel expenditures for Fiscal Year 2026 do  
44 not exceed the data provided by the Legislative Budget Office. If  
45 the agency's Fiscal Year 2026 projected cost exceeds the  
46 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 is the intention of the Legislature that the Department of Child Protection Services 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 5.** 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 6.** The Department of Child Protection Services is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

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

**SECTION 8.** Of the funds appropriated by this act, pursuant to Section 97-3-54.9, Mississippi Code of 1972, Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for maintaining a 24-hour hotline that is to be manned at all times, and for a

99 coordinator to work with the Department of Public Safety, and to  
100 contract with outside agencies or service providers to organize  
101 for the provision of specialized services, including counseling  
102 services and other appropriate care to children who have been  
103 victims of commercial and sexual exploitation or human  
104 trafficking.

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

110       **SECTION 10.** Of the funds appropriated in Section 1, Eleven  
111 Million Eighty-six Thousand Two Hundred Thirty-nine Dollars  
112 (\$11,086,239.00) is appropriated to maintain the Adoption  
113 Assistance and Congregate Care Homes Maintenance Payments and One  
114 Million Seven Hundred Eleven Thousand Nine Hundred Fifty-nine  
115 Dollars (\$1,711,959.00) is provided to maintain the Foster Home  
116 Maintenance Payments. It is the intent of the Legislature that  
117 these funds be expended for said purpose.

118       **SECTION 11.** The following sum, or so much thereof as may be  
119 necessary, is reappropriated out of any money in the Capital  
120 Expense Fund not otherwise appropriated for the Department of  
121 Child Protection Services for the purpose of reauthorizing the  
122 expenditure of Capital Expense Fund, as reappropriated in HB 1794,  
123 2024 Regular Session, for information technology system

developments for the fiscal year beginning July 1, 2025, and  
ending June 30, 2026.....\$ 2,500,000.00.

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

**SECTION 13.** 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 State Fiscal  
Officer shall issue his warrants upon requisitions signed by the  
proper person, officer or officers, in the manner provided by law.

**SECTION 14.** This act shall take effect and be in force from  
and after July 1, 2025, and shall stand repealed from and after  
June 30, 2025.

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

1           AN ACT MAKING AN APPROPRIATION TO DEFRAID THE EXPENSES OF THE  
2   DEPARTMENT OF CHILD PROTECTION SERVICES FOR THE FISCAL YEAR 2026.

SS15\HB1739A.J

Amanda White  
Secretary of the Senate