

Senate Amendments to House Bill No. 1757

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:

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is appropriated out of any money in the State General
7 Fund not otherwise appropriated, for the purpose of defraying the
8 expenses of the Office of the Attorney General for the fiscal year
9 beginning July 1, 2025, and ending June 30, 2026.....
10\$ 30,390,232.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is hereby appropriated out of any money in any special
13 fund in the State Treasury to the credit of the Office of the
14 Attorney General which is comprised of special source funds
15 collected by or otherwise available to the office, for the purpose
16 of defraying the expenses of the office for the fiscal year
17 beginning July 1, 2025, and ending June 30, 2026.....
18\$ 9,650,728.00.

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

21 AUTHORIZED HEADCOUNT:

22 Permanent: Full Time..... 91

23 Time-Limited: Full Time..... 205

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

41 Additionally, the State Personnel Board shall determine and
42 publish the projected annualized payroll costs based on current
43 employees. It shall be the responsibility of the agency head to
44 ensure that actual personnel expenditures for Fiscal Year 2026 do
45 not exceed the data provided by the Legislative Budget Office. If
46 the agency's Fiscal Year 2026 projected cost exceeds the
47 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 Office of the Attorney General 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

74 the Joint Legislative Budget Committee in a format and level of
75 detail comparable to the format and level of detail provided
76 during the Fiscal Year 2026 budget request process.

77 **SECTION 5.** In compliance with the "Mississippi Performance
78 Budget and Strategic Planning Act of 1994," it is the intent of
79 the Legislature that the funds provided herein shall be utilized
80 in the most efficient and effective manner possible to achieve the
81 intended mission of this agency. Based on the funding authorized,
82 this agency shall make every effort to attain the targeted
83 performance measures provided below:

84		FY2026
85	<u>Performance Measures</u>	<u>Target</u>
86	Supportive Services	
87	Cost of Support Services as Percent of	
88	Budget	6.00
89	Training	
90	Ratings of Continuing Legal Education	
91	Training Presentation by Participants	95.00
92	Ratings of CRIMES System Training	
93	Presentation by Participants	0.00
94	Litigation	
95	Minimum Affirmations of Criminal Convictions	93
96	Minimum Affirmations of Death Penalty	
97	Appeals	95
98	Minimum Denial of Relief in Federal	
99	Habeas Corpus	100

100	Minimum Pos Results of Civil Cases	96
101	Percent Change of Affirmations of	
102	Criminal Convictions Attained	0.00
103	Percent Change of Death Penalty Review	
104	Cases Affirmed	0.00
105	Percent of Change of Appeals for Relief	
106	in Federal Habeas Corpus Cases Denied	0.00
107	Percent Change of Positive Results from	
108	Civil Cases	0.00
109	Opinions	
110	Percent Assigned to Attorneys in 3 Days	
111	or Less	100.00
112	Percent of Opinions Completed in 30 Days	
113	or Less	90.00
114	Percent Change of Opinion Requests	
115	Assigned to Attorneys within 3 Days or	
116	Less	0.00
117	Percent Change of Opinion Requests	
118	Completed within 30 Days or Less	0.00
119	State Agency Contracts	
120	Percent of Good and Excellent Ratings	
121	for Legal Services	100.00
122	Percent Change of Good/Excellent Ratings	
123	for Legal Services	0.00
124	Insurance Integrity Enforcement	
125	Minimum Positive Results of Workers'	

126	Compensation Cases	99
127	Minimum Positive Results of Insurance Cases	99
128	Percent Change of Positive Results of	
129	Workers' Compensation Insurance Fraud	5.00
130	Percent Change of Positive Results of	
131	Other Insurance Cases	0.00
132	Other Mandated Programs	
133	Medicaid Fraud Convictions vs Dispositions	100
134	Medicaid Abuse Convictions vs Dispositions	92
135	Minimum Defendants Convicted after	
136	Indictments (PID)	90
137	Response to Consumer Complaints (Days)	5
138	Average Number of Days to Respond to	
139	Consumer Complaints	5
140	Percent Change of Medicaid Fraud	
141	Convictions vs Dispositions	0.00
142	Percent Change of Medicaid Abuse	
143	Convictions vs Dispositions	3.00
144	Percent Change of Defendants Convicted	
145	After Indictment	0.00
146	Crime Victims Compensation	
147	Percent of Claims Processed in 12 Weeks	
148	or Less	75.00
149	Percent Change of Claims Processed Timely	0.00
150	Telephone "no-call"	
151	Number of No-Call Complaints	30,000

152	Registered Telephone Solicitors (Number of)	60
153	Total Telephone Customers Served (Number of)	30,000
154	Solicitors Accessed Penalties	1
155	Penalties Collected	10,000.00

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

160 **SECTION 6.** Of the funds appropriated under the provisions of
161 Section 1, funds included therein which are derived from penalties
162 and/or other funds collected by the Medicaid Fraud Control Unit
163 shall be available for the purpose of providing the state match
164 for federal funds available for the support of the unit, or for
165 other lawful purposes as deemed appropriate by the Attorney
166 General. Further, it is the intent of the Legislature that any
167 penalties and/or other funds collected and/or expended shall be
168 accounted for separately as to source and/or application of such
169 funds.

170 **SECTION 7.** Of the funds appropriated under the provisions of
171 Section 1, the amount of One Million Dollars (\$1,000,000.00), or
172 so much thereof as may be necessary, shall be made available for
173 expenditure by the Prosecutors Training Division.

174 **SECTION 8.** Of the funds appropriated in Section 2, the sum
175 of Six Hundred Eighty Thousand Dollars (\$680,000.00) is provided
176 from the Department of Health for the Alcohol and Tobacco
177 Enforcement Unit.

SECTION 9. Of the funds appropriated in Section 1, it is the intention of the Legislature that Five Million Six Hundred Ninety Thousand Three Hundred Forty-six Dollars (\$5,690,346.00) may be allocated for the programs supported from General Fund court assessments as follows:

State Prosecutor Education.....	\$	662,582.00
Crime Victims Compensation.....	\$	1,901,332.00
Vulnerable Persons Training, Invest and Prosecution Trust.....	\$	565,165.00
Child Support Prosecution Trust.....	\$	128,475.00
Law Enforcement & Firefighters Disability Benefits Trust.....	\$	133,666.00
Cyber Crime Unit.....	\$	944,722.00
Domestic Violence Training.....	\$	376,580.00
Children's Advocacy Centers.....	\$	554,489.00
Crime Victims Compensation Admin.....	\$	347,547.00
Motorcycle Officer Training.....	\$	62,763.00
District Attorney Operations.....	\$	13,025.00

It is the intention of the Legislature that the Attorney General's Office shall prepare and submit a quarterly report to the Chairmen of the Appropriation Committees of the Senate and House of Representatives that details the expenditures made for programs supported from General Fund court assessments allocated in this section. This report shall be submitted no later than the 15th day of the month succeeding the end of each calendar quarter.

SECTION 10. Of the funds appropriated in Section 1, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Attorney General's Office to administer the Mississippi Telephone Solicitation Act, for the fiscal year beginning July 1, 2025, and ending June 30, 2026.....\$ 100,000.00.

SECTION 11. No part of the money herein appropriated shall be used, either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received; however, when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 12. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Office of the Attorney General that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

229 **SECTION 13.** It is the intention of the Legislature that
230 whenever two (2) or more bids are received by this agency for the
231 purchase of commodities or equipment, and whenever all things
232 stated in such received bids are equal with respect to price,
233 quality and service, the Mississippi Industries for the Blind
234 shall be given preference. A similar preference shall be given to
235 the Mississippi Industries for the Blind whenever purchases are
236 made without competitive bids.

237 **SECTION 14.** Of the funds appropriated in this act, funds are
238 provided to defray the expenses of litigation defending the
239 constitutionality of Mississippi statutes.

240 **SECTION 15.** The money herein appropriated shall be paid by
241 the State Treasurer out of any money in the State Treasury to the
242 credit of the proper fund or funds as set forth in this act, upon
243 warrants issued by the State Fiscal Officer; and the State Fiscal
244 Officer shall issue his warrants upon requisitions signed by the
245 proper person, officer or officers, in the manner provided by law.

246 **SECTION 16.** This act shall take effect and be in force from
247 and after July 1, 2025, and shall stand repealed from and after
248 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 FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR
3 2026.

SS15\HB1757A.J

Amanda White
Secretary of the Senate