

Senate Amendments to House Bill No. 1803

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 special fund in
7 the State Treasury to the credit of the Mississippi Board of
8 Nursing, for the purpose of defraying the expenses of the board
9 for the fiscal year beginning July 1, 2024, and ending
10 June 30, 2025.....\$ 5,069,202.00.

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

13 AUTHORIZED HEADCOUNT:
14 Permanent: 37
15 Time-Limited: 0

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

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

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

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

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

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

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

72 **SECTION 3.** Of the funds provided for herein, One Million
73 Five Hundred Sixty Thousand Dollars (\$1,560,000.00) shall be

74 provided for the Office of Nursing Workforce (ONW). In accordance
75 with Section 73-15-18(1), Mississippi Code of 1972, the
76 Mississippi Board of Nursing is designated as the state agency
77 responsible for the administration and supervision of the Nursing
78 Workforce Program as an educational curriculum. The mission of
79 the Office of Nursing Workforce is to carry out the scope of
80 service and leadership tasks required of the profession by
81 promoting a strong educational infrastructure between nursing
82 practice and nursing education.

83 **SECTION 4.** Of the funds provided under the provisions of
84 this act, an amount not to exceed One Hundred Five Thousand
85 Dollars (\$105,000.00) may be allocated to the Mississippi Board of
86 Pharmacy to defray the expenses of the Mississippi Prescription
87 Monitoring Program.

88 **SECTION 5.** It is the intention of the Legislature that the
89 funds are appropriated here in accordance with a signed Memorandum
90 of Understanding with the Mississippi Department of Health to
91 assist with the implementation of the Medical Cannabis Act for
92 registering and monitoring compliance with the rules and
93 regulations of the Act.

94 **SECTION 6.** It is the intention of the Legislature that the
95 Mississippi Board of Nursing shall maintain complete accounting
96 and personnel records related to the expenditure of all funds
97 appropriated under this act and that such records shall be in the
98 same format and level of detail as maintained for Fiscal Year
99 2024. It is further the intention of the Legislature that the

100 agency's budget request for Fiscal Year 2026 shall be submitted to
101 the Joint Legislative Budget Committee in a format and level of
102 detail comparable to the format and level of detail provided
103 during the Fiscal Year 2025 budget request process.

104 **SECTION 7.** It is the intention of the Legislature that
105 whenever two (2) or more bids are received by this agency for the
106 purchase of commodities or equipment, and whenever all things
107 stated in such received bids are equal with respect to price,
108 quality and service, the Mississippi Industries for the Blind
109 shall be given preference. A similar preference shall be given to
110 the Mississippi Industries for the Blind whenever purchases are
111 made without competitive bids.

112 **SECTION 8.** It is the intention of the Legislature that the
113 funds herein appropriated shall be expended in compliance with
114 Section 27-104-25, Mississippi Code of 1972, that no state agency
115 shall incur obligations or indebtedness in excess of their
116 appropriation and that the responsible officers, either personally
117 or upon their official bonds, shall be held responsible for
118 actions contrary to this provision.

119 **SECTION 9.** The money herein appropriated shall be paid by
120 the State Treasurer out of any money in the State Treasury to the
121 credit of the proper fund or funds as set forth in this act, upon
122 warrants issued by the State Fiscal Officer; and the State Fiscal
123 Officer shall issue his warrants upon requisitions signed by the
124 proper person, officer or officers, in the manner provided by law.

125 **SECTION 10.** This act shall take effect and be in force from
126 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 BOARD OF NURSING FOR THE FISCAL YEAR 2025.

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Amanda White
Secretary of the Senate