

By: Representatives Mims,
Barton, Cockerham, Faulkner,
Hood, McKnight, Read, Rushing,
Watson

To: Appropriations A

HOUSE BILL NO. 32

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.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

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\$ 33,892,028.00.

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\$ 12,504,164.00.



19 **SECTION 3.** Of the funds appropriated under the provisions of
20 this act, not more than the following amount of funds, with the
21 exception of the provisions in this section, shall be expended
22 only for "Personal Services," which includes "Vacancy Funding,"
23 for the following authorized number of employment headcount:

24 FUNDING:

25 General Funds:	\$ 25,895,719.00
26 Special Funds:	\$ 4,824,287.00
27 Total Funds:	\$ 30,720,006.00

28 PERSONAL SERVICES:

29 Employee Salaries, Wages, and	
30 Fringe Benefits:	\$ 29,366,566.00
31 Progressions:	\$ 0.00
32 Vacancy Funding:	\$ 1,353,440.00
33 Total Personal Services:	\$ 30,720,006.00

34 AUTHORIZED HEADCOUNT:

35 Permanent:	91
36 Time-Limited:	209

37 As used in this section, the term "Personal Services" shall
38 mean funds provided under the major object of expenditure category
39 Personal Services for Salaries, Wages, and Fringe Benefits. Funds
40 in this category shall not be transferred to any other category.

41 It is the intention of the Legislature to ensure compliance
42 with the Variable Compensation Plan, as outlined in Section
43 25-9-147, Mississippi Code of 1972. Payment from these funds shall



44 be in accordance with the Variable Compensation Plan promulgated
45 by the Mississippi State Personnel Board. It is the Legislature's
46 intention that no employee's salary falls below the minimum salary
47 established by the Mississippi State Personnel Board.

48 The State Personnel Board shall determine and publish the
49 projected annual cost of "Personal Services" based on monthly and
50 year-to-date payroll expenditures in compliance with the
51 provisions of this act.

52 With the funds herein appropriated, it shall be the agency's
53 responsibility to ensure that no single personnel action or
54 combination of personnel actions, when annualized, exceeds the
55 Fiscal Year 2026 appropriation for "Personal Services" with the
56 exception of escalated funds. Further, it shall be the agency's
57 responsibility to ensure that funds required to be appropriated
58 for "Personal Services" for Fiscal Year 2027 do not exceed Fiscal
59 Year 2026 funds appropriated for that purpose unless programs or
60 positions are added to the agency's Fiscal Year 2026 budget by the
61 Mississippi Legislature.

62 If, at the time the agency takes any action to change
63 "Personal Services," the State Personnel Board determines that the
64 agency has taken or will take an action that would cause the
65 agency to exceed the funds appropriated in this act when
66 annualized for Fiscal Year 2026 or increase the need for "Personal
67 Services" for Fiscal Year 2027, when annualized, the State
68 Personnel Board shall process no salary actions until such time as



69 the requirements of the provisions of this section are met with
70 the exception of new hires determined to be essential for the
71 agency.

72 When used in this section, "Vacancy Funding" shall mean funds
73 included in the Total Personal Services amount listed above and
74 designated for approved vacancies in Fiscal Year 2026. These funds
75 are to be utilized to increase the number of filled headcounts
76 that were authorized but unfilled as of the last day of Fiscal
77 Year 2025. If the agency fills additional headcounts after May 1,
78 2025, until the end of Fiscal Year 2025, the amount of available
79 Vacancy Funding may be proportionally reduced to reflect the
80 updated number of filled headcounts. The agency shall be
81 responsible for ensuring that "Vacancy Funding" is used to
82 increase headcounts and not for promotions, title changes,
83 in-range salary adjustments, or any other mechanism for increasing
84 salaries for current employees.

85 Any transfers or escalations shall be made in accordance with
86 the terms, conditions, and procedures established by law or
87 allowable under the terms set forth within this act. The State
88 Personnel Board shall not escalate positions without written
89 approval from the Department of Finance and Administration. The
90 Department of Finance and Administration shall not provide written
91 approval to escalate any funds for salaries and/or headcounts
92 without proof of availability of new or additional funds above the
93 appropriated level. Unless specifically noted, all Fiscal Year



94 2025 escalated headcounts have been accounted for and shall be
95 converted to authorized time-limited headcounts.

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

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

104 If the agency's total authorized headcount decreases from
105 Fiscal Year 2025 to Fiscal Year 2026, it will be the agency's
106 discretion as to what headcounts are removed.

107 **SECTION 4.** It is the intention of the Legislature that the
108 Office of the Attorney General shall maintain complete accounting
109 and personnel records related to the expenditure of all funds
110 appropriated under this act and that such records shall be in the
111 same format and level of detail as maintained for Fiscal Year
112 2025. It is further the intention of the Legislature that the
113 agency's budget request for Fiscal Year 2027 shall be submitted to
114 the Joint Legislative Budget Committee in a format and level of
115 detail comparable to the format and level of detail provided
116 during the Fiscal Year 2026 budget request process.

117 **SECTION 5.** In compliance with the "Mississippi Performance
118 Budget and Strategic Planning Act of 1994," it is the intent of



119 the Legislature that the funds provided herein shall be utilized
 120 in the most efficient and effective manner possible to achieve the
 121 intended mission of this agency. Based on the funding authorized,
 122 this agency shall make every effort to attain the targeted
 123 performance measures provided below:

124		FY2026
125	<u>Performance Measures</u>	<u>Target</u>
126	Supportive Services	
127	Cost of Support Services as Percent of	
128	Budget	6.00
129	Training	
130	Ratings of Continuing Legal Education	
131	Training Presentation by Participants	95.00
132	Ratings of CRIMES System Training	
133	Presentation by Participants	0.00
134	Litigation	
135	Minimum Affirmations of Criminal Convictions	93
136	Minimum Affirmations of Death Penalty	
137	Appeals	95
138	Minimum Denial of Relief in Federal	
139	Habeas Corpus	100
140	Minimum Pos Results of Civil Cases	96
141	Percent Change of Affirmations of	
142	Criminal Convictions Attained	0.00
143	Percent Change of Death Penalty Review	



144	Cases Affirmed	0.00
145	Percent of Change of Appeals for Relief	
146	in Federal Habeas Corpus Cases Denied	0.00
147	Percent Change of Positive Results from	
148	Civil Cases	0.00
149	Opinions	
150	Percent Assigned to Attorneys in 3 Days	
151	or Less	100.00
152	Percent of Opinions Completed in 30 Days	
153	or Less	90.00
154	Percent Change of Opinion Requests	
155	Assigned to Attorneys within 3 Days or	
156	Less	0.00
157	Percent Change of Opinion Requests	
158	Completed within 30 Days or Less	0.00
159	State Agency Contracts	
160	Percent of Good and Excellent Ratings	
161	for Legal Services	100.00
162	Percent Change of Good/Excellent Ratings	
163	for Legal Services	0.00
164	Insurance Integrity Enforcement	
165	Minimum Positive Results of Workers'	
166	Compensation Cases	99
167	Minimum Positive Results of Insurance Cases	99
168	Percent Change of Positive Results of	



169	Workers' Compensation Insurance Fraud	5.00
170	Percent Change of Positive Results of	
171	Other Insurance Cases	0.00
172	Other Mandated Programs	
173	Medicaid Fraud Convictions vs Dispositions	100
174	Medicaid Abuse Convictions vs Dispositions	92
175	Minimum Defendants Convicted after	
176	Indictments (PID)	90
177	Response to Consumer Complaints (Days)	5
178	Average Number of Days to Respond to	
179	Consumer Complaints	5
180	Percent Change of Medicaid Fraud	
181	Convictions vs Dispositions	0.00
182	Percent Change of Medicaid Abuse	
183	Convictions vs Dispositions	3.00
184	Percent Change of Defendants Convicted	
185	After Indictment	0.00
186	Crime Victims Compensation	
187	Percent of Claims Processed in 12 Weeks	
188	or Less	75.00
189	Percent Change of Claims Processed Timely	0.00
190	Telephone "no-call"	
191	Number of No-Call Complaints	30,000
192	Registered Telephone Solicitors (Number of)	60
193	Total Telephone Customers Served (Number of)	30,000



194 Solicitors Accessed Penalties 1
195 Penalties Collected 10,000.00

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

200 **SECTION 6.** Of the funds appropriated under the provisions of
201 Section 1, funds included therein which are derived from penalties
202 and/or other funds collected by the Medicaid Fraud Control Unit
203 shall be available for the purpose of providing the state match
204 for federal funds available for the support of the unit, or for
205 other lawful purposes as deemed appropriate by the Attorney
206 General. Further, it is the intent of the Legislature that any
207 penalties and/or other funds collected and/or expended shall be
208 accounted for separately as to source and/or application of such
209 funds.

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

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



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

223	State Prosecutor Education.....	\$	662,582.00
224	Crime Victims Compensation.....	\$	1,901,332.00
225	Vulnerable Persons Training, Invest and 226 Prosecution Trust.....	\$	565,165.00
227	Child Support Prosecution Trust.....	\$	128,475.00
228	Law Enforcement & Firefighters Disability 229 Benefits Trust.....	\$	133,666.00
230	Cyber Crime Unit.....	\$	944,722.00
231	Domestic Violence Training.....	\$	376,580.00
232	Children's Advocacy Centers.....	\$	554,489.00
233	Crime Victims Compensation Admin.....	\$	347,547.00
234	Motorcycle Officer Training.....	\$	62,763.00
235	District Attorney Operations.....	\$	13,025.00

236 It is the intention of the Legislature that the Attorney
237 General's Office shall prepare and submit a quarterly report to
238 the Chairmen of the Appropriation Committees of the Senate and
239 House of Representatives that details the expenditures made for
240 programs supported from General Fund court assessments allocated
241 in this section. This report shall be submitted no later than the
242 15th day of the month succeeding the end of each calendar quarter.



243 **SECTION 10.** Of the funds appropriated in Section 1, the
244 following sum, or so much thereof as may be necessary, is
245 appropriated out of any money in the State General Fund not
246 otherwise appropriated, for the purpose of defraying the expenses
247 of the Attorney General's Office to administer the Mississippi
248 Telephone Solicitation Act, for the fiscal year beginning July 1,
249 2025, and ending June 30, 2026.....\$ 100,000.00.

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

263 **SECTION 12.** As a condition of receiving the funds
264 appropriated by this act, the Attorney General's Office shall
265 assess the feasibility and administrative cost associated with
266 registration and disclosure of Foreign Third Party Litigation
267 Funding from countries adversarial to the United States.



268 **SECTION 13.** Of the funds provided in Section 1, Three
269 Million Fifty Thousand Dollars (\$3,050,000.00) is provided for
270 distribution to Children's Advocacy Centers of Mississippi for the
271 purpose of conducting forensic interviews. Of this amount, the
272 Office of the Attorney General is authorized to retain up to Fifty
273 Thousand Dollars (\$50,000.00) for administration of this program.

274 **SECTION 14.** Of the funds appropriated in Section 2, Two
275 Million Five Hundred Thousand Dollars (\$2,500,000.00) or so much
276 thereof as may be necessary, is provided for the purpose of
277 providing funds to the Victims of Human Trafficking and Commercial
278 Sexual Exploitation Fund.

279 **SECTION 15.** None of the funds appropriated by this act shall
280 be expended for any purpose that is not actually required or
281 necessary for performing any of the powers or duties of the Office
282 of the Attorney General that are authorized by the Mississippi
283 Constitution of 1890, state or federal law, or rules or
284 regulations that implement state or federal law.

285 **SECTION 16.** It is the intention of the Legislature that
286 whenever two (2) or more bids are received by this agency for the
287 purchase of commodities or equipment, and whenever all things
288 stated in such received bids are equal with respect to price,
289 quality and service, the Mississippi Industries for the Blind
290 shall be given preference. A similar preference shall be given to
291 the Mississippi Industries for the Blind whenever purchases are
292 made without competitive bids.



293 **SECTION 17.** Of the funds appropriated in this act, funds are
294 provided to defray the expenses of litigation defending the
295 constitutionality of Mississippi statutes.

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

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

